STILL THE SPOKESMAN — Former President Harry S. Truman (right) who is currently slugging it out with the House Un-American Activities committee, especially Mr. Velde, over the threat to civil rights in America, is a distinguished group of guests shortly after he was given the Stephen Wise award in New York last week. Listening intently left to right are: Dr. Israel Goldstein, president of the American Jewish Congress; Dr. Ralph Bunche, director of the UN Trusteeship Council, and Lloyd Garrison, former head of the National Labor Relations Board.

Jury hung in first civil rights test case

ROCHESTER, N.Y.—The jury in the civil rights case of Leeland N. Jones Jr., Buffalo councilman against Benjamin T. Toscano, proprietor of Barney's Bar and Grill, here reported that it was hopelessly hung last week.

Jones and a party of friends had been refused service of sandwiches and drinks by Toscano in his establishment, on July 20, 1952, in violation of sections 40 and 41 of the New York State civil rights law.

The incident occurred after Jones had addressed Elks of the Flower City lodge on the subject: "How are Negroes Progressing Through the Medium of Civil Rights in the State of New York?"

Six witnesses for Jones, along with police officers Cuiule and Kane, testified that the Jones party had been orderly in their requests for service.

Frank L. Caldwell, Buffalo, represented Jones and defense attorney for Toscano was Thomas Presutti of Rochester. Witnesses for Toscano were his wife Mrs. Angelo Toscano, and William L. Verian, a tenant of Toscano.

Judge Thomas P. Culhame, who heard the case, set Dec. 4, 1953 as date for a new trial. In the meantime, another civil rights complaint has been filed aginst Toscano by three Rochester men.

B'NAI B'RITH FORUM SPURS WAR ON BIAS

Wider Legislation Demanded —Federal Jurist Denounces Segregation in Housing

Special to THE NEW YORK TIMES.

WASHINGTON, Nov. 22—Issues that affect race relations and civil liberties in American life were discussed here today by educational leaders, jurists and lawmaking officials.

The discussions were in two panels of the "freedom forum" of the Anti-Defamation League of B'nai B'rith as the league continued its fortieth anniversary meeting, with more than 1,000 delegates in attendance.

Speakers declared a need for more legislation to safeguard civil liberties and an urgency in the promoting of inter-group relations. They said that current tensions and fears called for more widespread understanding of the nation's basic democratic principles.

In a panel on "Race Relations in the United States," Judge William H. Hastie of the United States Circuit Court of Appeals attacked housing segregation as "one of the most sinister breeders of bigotry."

Segregated housing, he asserted, did more than any other feature of American urban living "to make members of the segregated minority, and particularly Negroes as the largest such minority, strangers in what is nominally their home community."

Judge Hastie, the ranking Negro jurist of the country, expressed optimism that the end of Government-enforced segregation was in sight, because "the forces now cooperating to cause Government to stop its part in this shabby segregation business are insistent, strong and constantly growing more powerful."

The jurist asserted, however, that elimination of every segregation law "would not in itself end the segregation evil." He said that it would be only an essential step toward establishing a "legal order free of racial restrictions in which men would not be hampered by law and Government in their efforts to rid the community of racism."

In a discussion of civil rights legislation, Senator Hubert H. Humphrey, Democrat of Minnesota, indicated his willingness to compromise with "the new leadership of the South in working out a politically realistic fair employment practices bill."

He declared that he would "not compromise on the necessity for Federal legislation in achieving equality of opportunity," adding:

"I will, however, compromise on the terms or mechanics of that legislation in the interests of a basic objective."

Attacks Administration

He accused the Republican Administration of failure to advance civil rights legislation. Every Congress since 1944, he said, had "seen fair employment practices bills introduced with Administration sponsorship—except this one."

Dr. Lewis Webster Jones, president of Rutgers University, said that "whatever the pressures which initially broke down the bars to Negro admittance to white colleges and graduate schools, the experience of the two races in working side by side will do more to alter attitudes than any amount of exhortation."

Another speaker at this panel was Victor Reuther, assistant to the president of the Congress of Industrial Organizations.

Speakers in a panel on "Civil Liberties in the United States" included Dr. Buell G. Gallagher, president of City College of New York; Senator James H. Duff, Republican of Pennsylvania; former Senator Joseph C. O'Mahoney, Democrat of Wyoming; Douglas M. Black, president of the American Book Publishers Council, and Philip M. Klutznick, president of B'nai B'rith.

Dr. Gallagher declared the need for "free controversy" to strengthen the nation's democratic ideals and principles. Free controversy, he asserted, "is the only method known to man whereby the deadly hand of forced conformity may be lifted, while at the same time creative energies are released."

He cited two methods of avoiding controversy, "force and compulsion," which was "totalitarianism," and "indifferentism."

Warns on Anti-Red 'Weapons'

Senator Duff asserted that "at all hazards we must be sure that the weapons aimed at the destruction of communism must not have the appearance of destroying any of our civil liberties." The attack on communism, he added, must not interfere "with the equal protection of everyone of our citizens before the law."

He expressed support of the Fifth Amendment to the Constitution in its declaration that "no person . . . shall be compelled in any criminal case to be a witness against himself."

He said, however, that it was an "inescapable obligation" of all those who hold "public or quasi-public position" to support the laws and Constitution of the nation and "to be able to deny affirmatively membership in any organization whose purpose it is by conspiracy to destroy our Constitution and Government."

He termed it "utterly repugnant" for any public employe to be associated with any Communist organization and declared that only by avoiding extremism" could we come to a "true course."

He underscored the full equality of every American citizen before the law, adding:

"Inquisitorial method must never be substituted for this equality and as long as we realize that legal process is the road by which we have come and the road by which we must go I am sure that all the very many problems that we have can be solved."

Mr. Black said that a tendency to curtail freedom of expression and the "cutting down of freedom of choice" represented a threat to American civil liberties.

Mr. Klutznick asserted that "unless the spirit manifest in the American concept of human dignity permeates the land we can go nowhere in the struggle for human liberty and freedom."

...of civil rights and liberties

Of 60, only one Dixie Naval base now has partial segregation, **President Eisenhower** reported with pride at his press conference . . . The Army reports it's "helpless" to do anything about the segregated school setup at Fort Belvoir, Va. . . . Cleveland's new mayor, **Anthony J. Celebreeze** has announced that he will "not tolerate race hate and vandalism for a minute of my administration."

Baltimore's Lyric theatre has bowed to protests and granted **Marian Anderson** a concert date on Jan. 8. The theatre does not segregate audiences, but in the past has restricted the stage to white artists only . . . **A. P. Tureaud Jr.**, New Orleans, has been ejected from his classes at Louisiana State university. The Supreme Court has his case under advisement . . . A survey shows 62 per cent of students at Duke University, Durham, N.C., favor the immediate admission of colored students . . . Administrators of Mahoning County TB hospital, Youngstown, O., have refused to back down on their new integration policy, despite the strike of 10 white patients. The walkout occurred when two colored women were moved to a ward occupied by six white women.

Frank Stanton, president, Columbia Broadcasting System, has quit Phi Delta Theta fraternity because of its refusal to drop its "aryan males only" membership clause. . . . Minnesota's Senator **Hubert Humphrey** has called for the creation of a permanent civil rights commission to supplement eventual passage of FEPC legislation . . . The major department stores of Trenton, N.J., have agreed to drop color bans in the employment of sales personnel . . . The Mortgage Bankers' Association meeting at Miami Beach, Fla., was told there is a big unfilled demand for better dwellings for minority groups. **Albert M. Cole**, federal housing administrator was the speaker.

Civil Liberties Union Condemns Probes' Intolerance Of Dissent

NEW YORK, Dec. 13 (AP) — The American Civil Liberties Union said today the "worst damage" done by congressional investigations "and what is generally called 'McCarthyism'" is intolerance of dissent and "fear to express dissent."

The statement came in a review by the organization of factors affecting civil liberties in the United States during the past 12 months.

Criticizing Congress for what it said was its failure "to lay a self-denying ordinance on its committee procedure," the report said that "ever larger and more vital group of government employes, as well as others, are brought to 'trial by publicity,' accused and judged and sentenced in a court which is not a court."

Patrick M. Malin, executive director, in a preface to the report called the chief threats to liberty outside the nation "the violent and implacable masters of the Soviet Union," and within, the "excrescences of our natural and indispensable determination to guard against acts of treasonable or revolutionary subversion."

Declaring it the "right and duty" of Congress to investigate illegal acts "whether committed by teachers or preachers, editors or lawyers, bankers or farmers," and to see that appropriations are properly spent or "probe for information pertinent to possible legislation within its constitutional powers," the report added:

"No legislature has any right even to 'expose' anything which is not pertinent to constitutionally permissible legislation, just as the executive and judiciary have no right to exceed their respective constitutional powers."

The executive branch of government has also violated normal "rule of law," the ACLU said, citing former President Truman's seizure of steel plants and the Truman loyalty program for employes.

Main defect of the loyalty program, carried over into the Eisenhower security program, the ACLU said, was "failure to require that an informer against an employe testify before the persons accused and be subject to cross-examination."

The ACLU called the Fifth Amendment privilege against self-incrimination "an indispensable safeguard in a free society, despite the incidental harm it has always done in helping the guilty."

AJC report cites civil rights gains

NEW YORK — Continued improvement of civil rights practices thoughout the United States during 1953 is reported by the American Jewish Committee in the first annual supplement to "The People Take the Lead," progress record in civil rights on the 162nd anniversary of the adoption of the Bill of Rights.

Among gains, reported by the AJC, are these:

Two cities, Clairton, Pa. and Duluth, Minn., became the 29th and 30th to enact fair employment legislation."

"Four states strengthened their laws against racial and religious discrimination in places of public accommodation (Connecticut, Massachusetts, Oregon and Washington)."

"Eight municipal housing authorities ordered, or were instructed by courts to order, an end to racial segregation in public and publicly - aided housing."

"Some of the last remaining restrictions on the American Indian were wiped off the statute books."

"Two colored universities were awarded chapters of Phi Beta Kappa."

"Many theatres, sports areas, restaurants and places of recreation dropped their color bars and segregation, in the nation's capital."

Founded in 1906, the American Jewish Committee, with chapters in 44 principal cities and members in more than 550 American communities, is a pioneer American organization combatting bigotry, protecting civil and religious rights of Jews and advancing the cause of human rights everywhere.

LEGAL HINTS

Progress In Civil Rights Under Eisenhower

— by Sidney Redmond

NINETEEN-HUNDRED and FIFTY-THREE has witnessed much progress along the civil rights front. Much is expected from the arguments in the United States Supreme Court of the education cases. They should be decided early in 1954

The major accomplishments due to the efforts of President Eisenhower are:

President's directive abolishing segregation in schools on Army posts.

Attorney General Herbert Brownell filed a successful brief as friend of the court in the Thompson Restaurant case which abolished segregation in eating establishments in the District of Columbia. Mr. Brownell argued that the Supreme Court should declare the exsiting anti-segregation laws valid. This is in line with President Eisenhower's declaration that every vestige of segregation must be eliminated in the District of Columbia.

President's directive abolishing segregation in Navy installations in the South.

President's Government Contract Committee — in effect an FEPC

The directive issued by the Commissioners of the District of Columbia requiring all new contracts for service to the District to include pledges of non-discrimination in employment. This action is in accord with the President's statement of "eliminating every vestige of segregation in the Nation's Capital."

The President is giving a series of stag dinners in order to become better acquainted with outstanding businessmen and leaders over the country. In attendance have been the following: Archibald A. Alexander, builder and engineer, and Dr. F. D. Patterson, former president of Tuskegee Institute. This is the first time Negroes have eaten in the White House as guests of the President since the Administration fo Theodore Roosevelt when Booker T. Washington had lunch with Theodore Roosevelt, another Republican president, except when Negro Congressmen have dined there.

Major veterans hospitals in the South are no longer segregated. Integration is the rule instead of the exception. The Veterans Administrator has said publicly that "segregation is undemocratic, uneconomical and undesirable. It should be eliminated in all veteran establishments." This statement has been put into operation.

Refusal to appoint an Oregon state senator United States District Attorney for Oregon because he fought a civil rights bill for that state. His stand was inconsistent with President Eisenhower's policy on civil rights.

10 1953

Civil Rights Laws Will Be Enforced, Brownell Asserts

WASHINGTON, D. C. — (NNPA) — So long as they remain on the statute books, Federal civil-rights laws will be firmly enforced, Attorney General Herbert Brownell, Jr., declared in a copyrighted interview in the U. S. News and World Reports, made public recently.

During the interview Mr. Brownell disclosed that the Justice Department has received letters of protest from Governor John S. Fine of Pennsylvania and John S. Battle of Virginia, who at the recent Governors' conference criticized the Federal Bureau of Investigations for undertaking investigations of alleged civil rights violations in institutions in their states.

"How do you feel about the power of the Federal Government in the area of crime?" Mr. Brownell was asked. "Do you think that you should extend your power, or do you think that they have been to some extent stretched by preceding Administrations?"

POLICE POWER

"You have to particularize a bit on that," Mr. Brownell replied. "We are against a national police force, for example.

"Well, complaints reported at the recent Governors' Conference say that the FBI is now indulging in investigations and various other activities in connection with civil rights, and that it is infringing on the police power of the States," said one of the interviewers.

"Are we tending toward an enlargement of the federal police power in a broad sense?"

SIT DOWN WITH STATE

"We have no design or purpose to extend the federal police power," replied Mr. Brownell. "In that particular case that you mentioned, there is dual responsibility. There's an area there where the law requires the State and Federal Government, both, to step in when you have that kind of situation," he said, adding:

"I think the best way to solve it is to sit down with the State and establish the principles under which the law should be enforced. You remember up in New York last year they had quite a hullabaloo about the FBI investigating some alleged 'police brutality' cases. That was a perfect case of what they were talking about."

The situation in New York, to which Mr. Brownell referred, was the result of an agreement Commissioner George P. Monaghan of the New York Police Department entered into with Assistant Attorney General James M. McInerney that cases of alleged police brutality involving New York policemen would not be investigated until after he had an opportunity to make his own investigation.

N. Y. POLICEMEN

When FBI agents attempted to investigate several cases of alleged police brutality, Commissioner Monaghan refused to make the accused policemen available for questioning by FBI agents and declared that he would permit New York policemen to answer questions by Federal officers only before a Federal grand jury.

After James P. McGranery was made Atorney General of the United States and J. Edgar Hoover, director of the Federal Bureau of Investigation, informed him of the McInerney-Monaghan agreement, he abrogated it.

Continuing the interview, Mr. Brownell said:

"Whenever you have two people given the same job, or different aspects of the same job, th proper thing to do is to sit down and work out the policies of enforcement. We'd be glad to do it any time, if there is any complaint about our part in it. But there will be no relaxation of enforcement of the civil-rights laws on our part."

Civil Rights Breach Laid To Officers

AUGUSTA, Dec. 24 (AP)—Two former Florida law enforcement officers and a Georgia police chief are under indictment in U.S. District Court of south Georgia on two counts of civil rights violations.

William C. Calhoun, U.S. district attorney, today identified them as William H. Rosier, former Daytona Beach, Fla., constable and his deputy, John M. Blum.

Rosier and Blum made $1,000 bonds in Daytona Beach yesterday.

The third man was identified as Leon (Pete) Wood, chief of police at Helena, in Telfair County, Georgia.

The indictments were returned by a U.S. grand jury in Savannah last November.

THE CHARGE

Calhoun said the indictment charged that the three "unlawfully seized, kidnaped, abducted and held" Ellis Clark, Helena Negro, on July 31, 1951, at Helena and transported him to Daytona Beach, Fla., to stand trial for allegedly transporting a mortgaged automobile across the state line.

Calhoun said Preston Rollins, 42, McRae, attorney, was retained by Clark's wife to represent the Negro. Rollins sought the release of Clark on the grounds that the Florida warrant was invalid and because Clark had not waived extradition.

Earlier, Calhoun said, Rollins attempted to get Clark out of jail on bail but bail was refused.

Calhoun said Rollins reportedly attempted to stop the officers when they started to transfer Clark to Florida by producing a .22-caliber rifle following a heated conversation over the procedure the officers were following to move the prisoner.

HELD AT SIDE

It is claimed Rollins did not point the weapon, but held it at his side during the argument.

As an outgrowth of the incident Wood jailed Rollins on a disorderly conduct charge, but released him about an hour later on $35 bond.

Meanwhile, Clark was taken to Daytona Beach by Rosier and Blum. Calhoun was not informed of the outcome of the charges against Clark.

Calhoun said he would attempt to bring the case to trial in District Court in Dublin in January.

BROWNELL TO IGNORE PROTEST OF GOVERNORS AGAINST FBI IN FLAMING CIVIL RIGHTS PROBLEM

Will Continue to Move in When Local Self Government Fails to Protect Citizens

CITES CONSTITUTIONAL GROUNDS

WASHINGTON.—(ANP)—There will be no relaxation of enforcement of civil rights laws on the part of the Justice Department, declared Atty. Gen. Herbert Brownell jr., last week.

The statement was made in reply to complaints reported at the recent Governors' Conference that the FBI is infringing on the police power of the States when it indulges in investigations and various other activities in connection with civil rights.

Acocrding to a story in the U. S. News and World Report, the attorney general declared that the federal government has no design or purpose to extend its police powers into the states, but the governments have a dual responsibility.

Sometimes situations arise which require both the state and federal governments to step in and establish principles under which the law should be enforced, he said.

He mentioned the hullabaloo which went on in New York last year when the FBI attempted to investigate some "police brutality" cases. This is an example, he said, of what happens when two people are given the same job or different aspects of the same job.

In a case of this kind, continued the attorney general, the best solution is to have both sides sit down and work out the policies of enforcement. The justice department will be glad to do that at any time a complaint arises about its part in the investigation, said Brownell.

The FBI does not move into the states on civil rights any more than it does under any other criminal case, he continued. The justice department follows the same procedure in the courts on civil rights as it does on other federal laws. First it orders the criminal division to make preliminary investigation and if there is an apparent violation the FBI is asked to make a thorough investigation. The FBI does not move into a state on its own initiative, stated the attorney general.

Declaring that his department is compelled to enforce federal laws, Brownell said the FBI and other divisions of justice will remain firm in the enforcement of these federal civil rights laws as long as they remain on the statute books.

Pointing out that Governors Fine of Pennsylvania and Battle of Virginia had contacted him regarding FBI activities in various states, Browell expressed hope that any misunderstanding that the FBI is proceeding into state jurisdictions without a federal law would soon be clarified.

He expressed his belief that FBI activities—especially in Ku Klux Klan cases and illegal voting cases—have resulted in a decrease in violations of civil rights among people in this country and have resulted in cleaner elections.

The attorney general referred to the department of justice as the biggest law office in the world, employing 1,600 lawyers.

Ike Pledges To End Military, D.C. Bias

Favors Education, Persuasion For Other Civil Rights Gains

By LOUIS LAUTIER
(For NNAP)

WASHINGTON

President Eisenhower indicated in his message on the State of the Union delivered in person Monday to a joint ession of Congress the solution of civil rights problems through education and persuasion.

With respect to the District of Columbia and the Armed Services however, he unequivocally committed himself to do whatever he has the power to do to end segregation in those areas.

He recommended an immdiate increase on the Board of Commissioners of the District of Columbia from three to five members.

Sen. Case's Proposal

Senator Francis Case of South Dakota, chairman of the Senate District of Columbia Committee, two weeks ago made this proposal, one of the purposes of which would be to name a colored person as a commissioner.

Among the six points he said the leadership of his administration will work toward was the "dedication to the well-being of all our citizens and to the attainment of equality of opportunity for all, so that our nation will ever act with strength of unity in every task."

On Civil Rights

With regard to civil and social matters President Eisenhower said:

"Our civil and social rights form a central part of ther heritage we are striving to defend on all fronts and with all our strength.

"I believe with all my heart that our vigilant guarding of these rights is a scared obligation binding upon every citizen. To be true to one's own freedom is—in essence—to honor and respect the freedom of all others.

Equality Of Rights

"A cardinal ideal in this heritage we cherish is the quality of rights of all citizens of every race and color and creed.

"We know that discrimination against minorities persists despite our allegiance to this idea. Such discrimination—confined to no one section of the nation—is but the outward testimony to the persistence of distrust and of fear in the hearts of men.

"This fact makes all the more vital the fighting of these wrongs by every individual, in every station of life, in his every deed.

Source Of Answer

"Much of the answer lies in the power of fact, fully publicized; of persuasion, honestly pressed; and of conscience, justly aroused. These are methods familiar to our way of life, tested and proven wise.

"I propose to use whatever authority exists in the office of the President to end segregation in the District of Columbia, including the Federal Government, and any segregation in the Armed Forces.

"Here in the District of Columbia, serious attention should be given to the proposal to develop and authorize, through legislation, a system to provide an effective voice in local self-government.

First Step Forward

"While consideration of this proceeds, I recommend in the meantime an i...mediate increase of two in the number of District Commissioners to broaden representation of all elements of our population.

"This will be a first step toward insuring that this capital provide an honored example to all communities of our nation.

"In this manner and by the leadership of the office of the President exercised through friendly conferences with those in authority, we expect to make true and rapid progress in civil rights and equality of employment opportunities."

Sen. Humphrey Woos South on Civil Rights Bill

Presidential Study Board With No Enforcing Power Offered as Compromise

WASHINGTON, Jan. 25 (UP).—Sen. Hubert H. Humphrey, D., Minn., a leading racial rights advocate, is making a major bid for a compromise with Southern Democrats in hopes of getting a "starter" civil rights bill through Congress this year, it was disclosed today.

"I am so distressed over the long stalemate that I am perfectly willing to be the compromiser,," he asserted. "I am willing to offer the olive branch and get this thing moving. It's better to go a foot than to fail to go a mile."

Seeks Presidential Study

His specific compromise proposal is a bill to set up a Presidential civil rights commission to survey the duties and activities of Federal agences in fields of employment, education, health and housing. It would have power to make recommendations to the President, Congress and state and local agencies, but no powers of enforcement.

Sen. Humphrey emphasized that he still greatly prefers the long-stymied proposal for a Federal Fair Employment Practices Commission with power to go to court to enforce any findings of job discrimination on grounds of race, creed or color.

Sen. Irving M. Ives, R., N. Y., will introduce the F. E. P. C. bill some time this week, with Sen. Humphrey and twenty other Senators as co-sponsors. The new measure will be modified in hopes of making it less objectionable to Southern Democrats, who have long filibustered civil-rights measures.

But its backers admit that while they will fight for it with all their power, they have little or no chance of getting it through Southern filibuster.

No Fanfare on Introduction

Sen. Humphrey's real hope is his "commission" bill which was introduced with little fanfare over a week ago. He is known to have discussed it privately with some Southern Democrats with what he described as "friendly" reactions.

He sent copies to a number of colleagues, Republicans as well as Democrats, over the week end urging them to give it careful consideration as a "moderate" approach that may have a chance of passage.

Some powerful Southern Democrts are known to feel that a compromise on the civil rights issue is possible, as long as it is not a compulsory F. E. P. C. measure which has become a fighting word in the South.

Sen. Humphrey feels that his commission bill is the most moderate approach the Southerners could wish. He conceded his own political future may be jeopardized by pushing it. But if that much could be enacted into law this year "I would feel we had achieved something," he said.

Ike's Statement On Civil Rights

Our civil and social rights form a central part of the heritage we are striving to defend on all fronts and with all our strength.

I believe with all my heart that our vigilant guarding of these rights is a sacred obligation binding upon every citizen. To be true to one's own freedom is — in essence — to honor and respect the freedom of all others.

A cardinal ideal in this heritage we cherish is the equality of rights of all citizens of every race and color and creed.

W KNOW THAT discrimination against minorities persists despite our allegiance to this ideal. Such discrimination — confined to one section of the nation — is but the outward testimony to the persistence of distrust and of fear in the hearts of men.

This fact makes all the more vital the fighting of these wrongs by each individual, in every station of life, in his every deed.

Much of the answer lies in the power of fact, fully publicized; of persuasion, justly aroused. These are methods familiar to our way of life, tested and proven wise.

I propose to use whatever authority exists in the Office of the President to end segregation in the District of Columbia, including the federal government, and any segregation in the armed forces.

Here in the District of Columbia serious attention should be given to the proposal to develop and authorize, through legislation a system to provide an effective voice in local self-government. While consideration of this proceeds, I recommended an immediate increase of two in the number of District Commissioners to broaden representation of all elements of our population. This will be a first step toward insuring that this capital provide an honored example to all communities of our nation.

In this manner, and by the leadership of the Office of the President exercised through friendly conferences with those in authority in our states and cities, we expect to make true and rapid progress in civil rights and equality of employment opportunity.

New York Cop Indicted On Rights Charge

NEW YORK — A New York City policeman has been indicated on a charge of civil rights violation and will be arraigned in Federal court Monday on the charge which declares he beat up a subway motorman.

The officer, John A. Brullman, 30, was indicted by the federal jury last Tuesday in Brooklyn. He was the first New York police officer ever charged under the Civil Rights statute enforcing the 14th Amendment to the Federal Constitution.

Police Commissioner George P. Monaghan, under fire himself for alleged civil rights violations in his department, suspended the officer pending the outcome of the case. Brullman was demoted from detective to patrolman last year after the alleged beaten happened.

Monaghan said that if the officer is guilty "he will pay for it."

He declared that "any policeman who violates the law should be punished, just as any other citizen."

The indictment came after a grand jury investigation of charges that police have beaten suspects. It was set off by charges that the city's police officials made an agreement with Federal authorities exempting local police from brutality investigations by agents of the FBI.

The charge against Brullman declares that "wilfully and knowingly" assaulted Francis D. Galatis, 46, at 3:30 a. m. March 7, 1952 in an Independent Lines subway train while it stood in the Forest Hills station in Queens.

The alleged victim charged that he suffered a fractured rib, cuts and contusions while the detective beat him in the presence of two other officers who stood by. The victim's attorney, A. W. Schwartz, declared suit was filed against Brullman and the case came up seven times in 10 weeks without being disposed of.

Brullman faces one year in jail and a $1,000 fine if convicted.

The Bishop Talks With The President

Bishop D. Ward Nichols of the First Episcopal District of the AME Church, embracing the New England States, New York, New Jersey, Pennsylvania, Delaware and Bermuda, talked with President Eisenhower at the White House last Thursday when the President promised to keep his pledge "to wipe out segregation in Washington," and do something about civil rights.

Eisenhower And Civil Rights

President Eisenhower, in his State of the Union address, made it very evident, we think, that he is going to rely heavily on individual conscience, voluntary action, local and state authority—as distinguished from broad federal compulsions—in seeking progress in the field of civil rights. This is a wise approach to such problems.

This newspaper has repeatedly expressed its belief that no majority sentiment in the nation supports the demand for a federal compulsory employment practices act. In the South, of course, public sentiment is very strongly against such action. A Gallup poll completed only a few days before the president's address affords additional evidence that only a minority of Americans favors compulsory FEPC legislation.

This question was asked of a cross-section of voters: "Some people say we should have a national law requiring employers to hire people without regard to color or race. Other people say that it should be left up to each state to decide on this for itself. With which side do you, yourself, agree?" The question, we think, was quite clearly and specifically put.

Only 31 per cent favored a national FEPC, while 47 per cent favored leaving the matter to the states. Fourteen per cent joined in neither of these viewpoints, while 8 per cent had no opinion.

This survey showed an increase of 3 per cent in those favoring state responsibility, as compared to the 44 per cent so expressing themselves six months ago, and a decline of 1 per cent in those favoring a national FEPC.

President Eisenhower declared that "to be true to one's own freedom is—in essence—to honor and respect the freedom of all others."

"We know," he continued, "that discrimination against minorities persists despite our allegiance to this ideal (equality of rights of all citizens). Such discrimination—confined to no one section of the nation—is but the outward testimony to the persistence of distrust and of fear in the hearts of men." Each individual, he said, is called on to fight such wrongs.

"Much of the answer," he went on, "lies in the power of fact, fully publicized; of persuasion, honestly pressed; and of conscience, justly aroused. These are methods familiar to our way of life, tested and proven wise."

He pledged that he would use his authority as president to end segregation in the District of Columbia, including the federal government, and in the armed forces.

". . . By the leadership of the office of the president exercised through friendly conferences with those in authority in our states and cities," the president declared, "we expect to make true and rapid progress in civil rights and equality of employment opportunity." Basic rights of employers in choosing their employes should, of course, also be recognized and upheld in dealing with problems in this field.

We agree with President Eisenhower's declaration that the power of fact, of persuasion, of conscience, actively employed, is fundamental to the most effective service of progress in this sphere of delicate and complex human relations.

Javits Charges 'Corruption' in N. Y. Police Civil Rights Case

By Edward F. Ryan
Post Reporter

Rep. Jacob K. Javits (R-N. Y.) charged yesterday there was "corruption beyond corruption" in a plan for making the FBI keep hands off investigations into alleged acts of brutality by New York policemen in violation of a Federal civil rights law.

Javits told a House investigating subcommittee that the arrangement struck at the moral foundations of society. "I rather think these fellows (who made the arrangement) were doing what they thought was best from the standpoint of law enforcement," said Javits. "But it is corruption beyond corruption when men set aside the operation of the laws."

The investigating subcommittee, headed by Rep. Kenneth B. Keating (R-N. Y.), heard testimony from Javits and three other New York Congressmen, then recessed until late next week.

Keating assigned Committee Counsel Robert A. Collier to confer with New York's Mayor Vincent Impelletteri on any available documentary evidence bearing on the inquiry.

Focus of the inquiry is the arrangement which former Assistant Attorney General James M. McInerney, as head of the criminal division, last July told New York police officials he would consider trying in the next complaint reaching the Justice Department about alleged brutality by New York police officers.

According to McInerney, who will probably testify later, the plan was for the complaint to be investigated first by the New York police commissioner, and for him to make a full report to Justice. McInerney, now a special assistant to the Attorney General, said the plan was never given an actual trial up to the time he was transferred out of the criminal division. The arrangement was called off January 14 by former Attorney General James P. McGranery.

In other testimony, the Keating group hear Rep. Adam C. Powell (D-N. Y.) declare that the ecect of McInerney's arrangement with New York Police officials was that the FBI was barred from interfering in any civil rights case in New York by a refusal to let New York police answer FBI questions in such matters.

"New York City today is a city of terror for minorities," said Powell.

Powell charged that in a brutality case now being probed by a Federal grand jury in New York, Police Commissioner George Monaghan suppressed important evidence in a report he made about it to the FBI. Powell added that "Monaghan should be fired immediately."

Rep. Francis E. Dorn (R-N. Y.) said that he did not condone brutal actions by policemen, but that the subcommittee should keep in mind they were the actions of a tiny fraction of the police department in New York, and that the majority are honest policemen trying to do an honest job.

Rep. Isadore Dollinger (D-N. Y.) applauded the subcommittee for its probe, while declaring sharply that it was not appropriate for Javits to have emphasized that the agreement was made in the former Administration.

10 1953

Life & Times Of The Filibuster Rule

SENATE RULE 22 provides the filibustering weapon with which civil rights proposals have been put on the skids in the past, and likely will be in the future. Thanks to the election of Eisenhower and the defeat of the Democratic Party, civil rights proposals are evidently less likely than ever to be enacted. But a group of senators is making a fight on the filibuster, otherwise Rule 22.

The history of the filibuster since 1917 is interesting in light of the present and provides a partial answer to that campaign question of Alabama's Democratic hacks, "What's the Republican Party ever done for the South?"

Adopted 35 years ago by the Senate, Rule 22 provided that two-thirds of the senators present and voting could cut off debate. But in 1949, it was a Republican senator, the late Kenneth Wherry, who sponsored a change providing that debate could be limited only if 64 of the 96 senators so voted. This meant that 33 senators could block limitation purely by their absence from the chamber.

It was the Republican Party—not the Democratic—which gave the strongest support to the strengthening of this southern weapon. Democrats voted for it, 29 to 15; whereas the GOP voted 34 to 8 for it.

The rule was adopted in 1917 after Wilson's proposal for arming merchant ships was talked to death. Since, there have been 21 other votes on the question of limiting debate in order that a vote on the pending measure could be taken.

But the gag has been applied in only 4 of the 21 cases, these four being: the Versailles Treaty, 1919; World Court, 1926; branch banking, 1927; the banking act, 1933.

However, it is important to understand that a majority of the senators favored the bill which was filibustered against; and had it not been for the two-thirds majority necessary to bring the measure to a vote, there presumably would have been the necessary simple majority of one in favor of the measure.

Debate limitation (cloture) was an issue in the recent presidential campaign. The Democratic candidates, Stevenson and Sparkman, adhered to the Democratic platform demanding a gag in the mouth of southern senators. The Republican platform, departing from its traditional stand in order to make friends with the South, was pointedly silent on the gag and President-elect Eisenhower expressed opposition to FEPC and dismissed Senate rules as none of his business.

"What's the Republican Party ever done for the South?"

Civil Rights Issue

The control which the conservatives are expected to exert over domestic legislation was powerfully demonstrated last week when Senator Taft and Southern Democrats joined forces to put off—almost without effort—an attempt by a coalition of Northern liberals to change the Senate rules in order to curb the filibuster, the weapon which Southern Senators have employed to prevent any consideration of civil rights legislation. This is what happened:

Last Tuesday a group of fourteen Senators from both parties met in Washington to devise a strategy for changing Rule 22, as the first move toward getting ultimate action on civil rights. The leaders of the coalition were Republican Irving M. Ives and Democrat Herbert H. Lehman, both of New York.

Rule 22 provides that if two-thirds of the Senate votes to limit debate, then debate shall be closed after each member has spoken one hour. Southern Democrats have always been able to muster, with the help of a few Republicans, enough votes to prevent limitation of debate on civil rights. Furthermore, civil rights forces have never been able to change Rule 22 because the rule itself provides that any motion to alter it is not subject to limitation of debate.

TODAY AND TOMORROW

Civil Rights And The Filibuster

Perseverance Can Produce Civil Rights Measures Satisfactory To Modern South And To North

BY WALTER LIPPMANN

THE SENATE has been approaching a motion designed to lead to the amendment of the rules in order that it may be easier to cut off a filibuster. The motion is that of Sen. Anderson, Democrat of New Mexico, and it has been supported by four Northern Republican senators, 13 other Northern Democrats, and Sen. Morse, an independent. The purpose of these senators has been to clear the way for civil rights laws, particularly for a compulsory Federal Fair Employment Law. They wished to enact this law by a majority vote in the Senate over the objection of the minority of Southern senators.

It has seemed all but certain that there would be a failure to amend the rules, and that the right of filibuster would be preserved. Yet it would be, I believe, an error to interpret defeat of this effort to amend the rules as a defeat for the cause of civil rights. The fundamental fact in the situation today is that an agreed settlement of the deepest issue is now clearly in sight. If this settlement is negotiated with perseverance and good faith, it should readily command the necessary 64 votes, the so-called constitutional two-thirds. As a matter of fact, an agreed settlement has seemed more likely to be reached if the rules were not amended.

Federal Legislation, But Local Administration Would Prevail

THE BASIS of an agreed settlement exists in a bill (S. 3368) sponsored by two of the senators now engaged in trying to amend the rules. It is the Humphrey-Ives Bill. It was reported favorably by the Senate committee on labor and public welfare about the first of July last year—just as the Republican convention was assemblying. At the time nobody paid much attention to it. It was swamped by the other news. Yet it contains a new principle, which is acceptable to the Northern sponsors of this whole body of legislation, a principle which, however, removes virtually all the practical objections of the modern South to fedeal compulsion in the field of employment. The essential principle of the Humphrey-Ives Bill is, as I read it, that it places the administration and enforcement of the federal law in the hands of local, state and regional officials.

Thus the bill acknowledges the principle that fair employment is a national interest. But it recognizes also that the application of the principle can best be done with local consent. This means that actual progress in the practice of fair employment will come not by compulsion from officials in Washington but by conciliation and education in each community.

With this bill available for negotiation and discussion, there is no need, then, to amend the rules of the Senate in order to coerce the South. It would be a strange thing to coerce the South for the sake of a law of which the fundamental principle is that it is not coercive. If a bill, like the Humphrey-Ives, can operate by consent in the modern South, as surely it can if it is well handled, then such a bill can be enacted with the consent of the modern Southerners in the Senate.

We must hope, I believe, for a solution by consent. As I see it, the filibuster is a great and irreplacable protection of the civil rights of the American people, and it would be a paradox with tragic consequences if it were swept away in the name of civil rights. What is the filibuster It is a device, developed by long usage, which enables a minority, when it feels that its interests are threatened, to compel the majority to be at least a two-thirds majority.

* * *

The Majority Principle May Take Many Forms

IT IS OFTEN SAID that the filibuster is a denial of the American principle of majority rule. This is an inaccurate generalization. What is an American majority? Is it 51 per cent of those voting? Is it 51 per cent of those entitled to vote? Is the two-thirds vote required to ratify a treaty a denial of the American principle of majority rule? Why is it a denial of American principles to permit the minority to insist where it feels vitally affected that the majority must be as big as for a treaty?

The answer, of course, is that the American principle of the right of the majority to rule takes many different forms under our constitutional system. It is of the very essence of the system that there should be easier and harder majorities to organize, depending on the gravity and the impact of the decision that the majority is being called upon to make. Nothing, therefore, is less American than the idea that a 51 per cent majority should always prevail.—©

Thomas L. Stokes

Compromise Near On Civil Rights

WASHINGTON—The 83rd Congress has a real opportunity to rise above political conflict and make a start on civil-rights legislation. This is encouraged by an atmosphere of concession and moderation already visible which could, if sincerely capitalized, take the question "out of partisan or sectional controversy and off dead center."

The last is an expression used by Sen. Hubert H. Humphrey (Dem., Minn.) when he himself made a sudden and surprising conciliatory gesture. This was to introduce a bill to set up a permanent commission on civil rights in the Federal Government. This commission, composed of five members to be appointed by the President, would have no compulsory or punitive powers, such as the controversial FEPC, but would make full-scale and continuous investigations of civil-rights status in the Federal Government and the nation as a whole with a view to ascertain what activities infringe upon civil rights. The commission would co-operate with state and local governments and private organizations in its efforts to throw light on the facts and to remove discriminations through persuasive and voluntary means. It would report once a year to the President on its findings and with recommendations, legislative or otherwise, for removing civil-rights infractions.

Since the election, President Eisenhower has himself advocated creation of a civil-rights commission in general terms. The Humphrey proposal, therefore, would fit presumably into the President's own legislative program and also could find support among Southern Democrats. The latter were consulted by the Minnesota senator before he introduced his measure.

President Eisenhower manifestly could go along, too, with a gesture from the South just prior to Senator Humphrey's action. This is a proposed constitutional amendment to abolish the poll tax, in so far as it applies to election of President, Vice-President and members of Congress, which is sponsored jointly by Sen. Spessard L. Holland (Dem., Fla.) and nine other senators representing six Southern states.

The Humphrey and Holland overtures are tributes to a pioneer in the campaign for a civil-rights compromise program. This is Rep. Brooks Hays (Dem., Ark.). They embody two of the three points of a legislative compromise he has long advocated. The third is a bill to authorize federal intercession in lynching cases when state governments demonstrate they are unable to find and prosecute the guilty parties. Representative Hays can be counted upon to help in the House where he is an influential figure.

Hatchet Work Of Taft Kills All Civil Rights

Stand Protects Filibuster Right Of Dixiecrats

WASHINGTON

A majority of Republican senators, led by Ohio's Robert A. Taft, Friday firmly nailed up the coffin holding chances for passage of any civil rights legislation by the new congress.

Completion of the hatchet job was announced shortly after four o'clock following an all-day caucus in the Senate Office building.

The Taft Republicans, exhibiting a tender concern for the filibustering privileges of their Dixiecrat colleagues, voted "overwhelmingly" not to change the senate's rules, which date back to 1789.

A bi-partisan group of liberal senators, led by Senator Herbert Lehman (D) and Irving M. Ives (R) both of New York, which also met Friday, announced that they would not back down on their plans to carry a fight on the rules change to the floor Monday.

Proposal Rejected

Their contention is that the senate is not a continuing body and that each new session has the right to make its own rules. The conservative Republican - Dixiecrat coalition, which enjoys a majority, turned thumbs down on this proposal.

The Taft Republicans insisted that if there is to be a rules change, it should come the "regular" way.

The regular way calls for introduction of a resolution, its reference to the Senate Rules Committee, the holding of hearings, the report of a resolution to the Senate, a motion to consider, and, if the motion prevails, debate and vote.

Two Gimmicks Exposed

There are two gimmicks in this procedure. One is a "joker" in the very rule that the more liberal senators favor amending. That "joker" written by Georgia's Richard Russell, permits unlimited debate on any proposal to change the rules.

The second is that the rules committee will have as its chairman William Jenner of Indiana, who is already on record as favoring allowing Dixie senators to keep the filibustering gag on civil rights legislation.

Congressional observers agree that as long as the present rule, favorable to filibusters, remain on the book, the Republicans under Eisenhower will never be able to enact civil rights laws.

A total of 20 senators pledged to back up the fight of senators who want to halt the practice of filibustering.

Leaders Hold Meeting

While the senators were busy holding caucuses, more than 100 members of the Leadership Conference on Civil Rights gathered in Washington to support the drive to curb the filibuster.

Representing labor, church, civic and fraternal organizations, the delegates all day Friday and Saturday were button-holing senators urging them to support the stand of the liberal group.

A dinner meeting of the conference was held Friday night, at the Hotel Statler, during which Senators Paul Douglas (D.-Ill.) Hubert Humphrey (D.-Minn.) and Herbert Lehman (D.-N.Y.) spelled out the strategy mapped by the anti-filibusters.

Telegrams of assurance were received during the meeting from Irving Ives (R.-N.Y.) and James Duff (R.-Penna.)

The three speakers, who said they were not the least bit discouraged, pointed out that the floor fight offered an excellent opportunity to educate the people back home about how undemocratic senate procedures actually are.

Senator Clinton P. Anderson (D.-New Mex.) was selected to offer a motion urging the adoption of new rules. A total of 16 senators has loaned their names as co-sponsors of the motion.

The text of the motion follows:

"In accordance with Article 1, Section 5 of the Constitution of the United States, which declares that "Each House may determine the rules of its proceedings, I now move that this body take up for immediate consideration the adoption of rules for the Senate of the 83rd Congress."

Ives Would Follow Up

If this motion is adopted, Senator Ives and a group of co-sponsors were to then offer a motion to adopt the old rules with the exception of Rule 22. Rule 22 will be amended to provide for shutting off debate by a "constitutional majority" or the votes of 49 Senators, and section 3 of Rule 22 will be eliminated entirely in the new rules to be proposed by Ives.

The existing Rule 22 requires the affirmative votes of two-thirds of the entire membership of the Senate, or 64 Senators, to limit debate, and section 3 makes any proposal to change the rules subject to unlimited debate.

"My interest is in giving Senators the right to vote," Senator Anderson said. "I would have liked to have voted on Alaska-Hawaiian statehood, but because of filibustering I was unable to vote on it," he said.

Ore. Legislature Gets Civil Rights Bill

PORTLAND, Ore. (ANP) —A civil rights bill last week was introduced into the Oregon legislature making it a misdemeanor to discriminate against person because of race, religion or national origin in public places.

Sen. Philip S. Hitchcock of Klamath Falls sponsored the measure which applies to restaurants, hotels and other public places. The same bill was sponsored in the house by Rep. Hatfield.

New York University Offers New Course In Civil Rights

NEW YORK—In response to requests of the youth division of the National Association for the Advancement of Colored People, New York University is offering a course on "Legal Approaches to Human Relations Problems" this summer. Guest lecturers in the field of civil rights will conduct the class for which two points of academic credit are offered.

Herbert L. Wright, NAACP youth secretary, asks that high school and college students interested in taking this summer course, write to him at 20 West 40th Street, New York 18, N. Y.

Rights Laws Are Only For South: Official Quoted

(Special to The World)

WASHINGTON — Two F. B. I agents told a House investigating committee that New York Police Commissioner George P. Monaghan told them federal civil rights were only for "sections of the country below the Mason-Dixon line."

Agents Vernon C. Smith and John P. Foley agreed that Monaghan made the statement January 6 when he refused to allow them to interview New York policemen accused of beating prisoners. Leland V. Boardman, special agent in charge of the New York office, declared that he was so "astounded" by the quote that he saw Monaghan on January 9 to verify it.

Boardman said Monaghan confirmed the remark but pointed out that "it was an ill-advised statement which I should not have made because it obviously doesn't sound good."

The agents testified before a House Judiciary subcommittee probing an alleged "agreement" between New York police and the Justice department that barred the FBI from checking into alleged cases of police brutality until the local department could make its own inquiry.

After hearing this testimony, Chairman Kenneth B. Keating closed the session and announced that he plans no further hearings.

Earlier, James P. McGranery, former Attorney General, had testified that he ordered the immediate abrogation of the agreement after J. Edgar Hoover, FBI director, had informed him of its existence.

McGranery told the subcommittee that in his opinion such an agreement to abridge enforcement of civil rights would be a violation of the law itself.

Skegee Wins Final

TUSKEGEE INSTITUTE—Tuskegee's Tiger quintet closed its regular playing season by edging the Alabama State College Hornets, 48 to 61, in Logan Hall here last week.

10 1953

8 Civil Rights Bills Introduced; GOP Confident

By C. P. TRUSSELL
New York Times News Service
Special to The Atlanta Constitution

WASHINGTON, Jan. 13—Eight civil rights bills sponsored by eight declared liberals were introduced in the Senate late today with an expression of confidence that some if not all could be passed despite new filibusters such as had blocked similar legislation in the past.

"We believe," Senator Humphrey (Dem.-Minn.) said, "that our bills (are) thoroughly consistent with the platfroms of both the Democratic and Republican parties. They carry out the stated pledges made by candidates of both parties to establish by legislation equality for all Americans regardless of race, religion, color, or national origin. . . .

"We believe that with the cooperation of the majority (Republican) leadership, it will be possible for us to defeat any filibuster or other tactic which a minority may use to stop their enactment. We will judge the good faith of the Republican Party campaign pledges by the willingness of the party leadership to join us in common effort."

Spokesmen for Southern Democrats, who in the past employed unlimited debate in the Senate to filibuster proportions to block similar measures from going to voting tests, showed no alarm over the new civil rights drive. To them, they said, it looks like "more of the same thing." They described this "same thing," in effect, as "just their continued cunning fight to get themselves on the record for trying to get unconstitutional legislation through Congress."

The new proposed legislation follows patterns of recommendations by the President's Commission on Civil Rights (1947) and the Department of Justice.

This provision enables filibusters to get under way at the suggestion of consideration of a change in filibuster rules.

Sponsoring the new eight measures with Humphrey were Democratic Senators Douglas of Illinois, Lehman of New York, Magnuson of Washington, Murray of Montana, Neely of West Virginia, Pastore of Rhode Island and Wayne Morse, Independent of Oregon.

They proposed federal programs to do these things:

1. Make lynching a crime under federal statute.

2. Repeal the requirement in some Southern states that a poll tax be paid as a requisite to eligibility to vote.

3. An enlargement of the civil rights unit in the Department of Justice to the status of a division headed by an assistant attorney general.

4. Provision of legal penalties where discriminations were practiced along Jim Crow lines in interstate transportation of passengers on trains, airplanes, buses or other means of travel. This was prompted by the recent Supreme Court decision that declared segregation to be illegal.

5. A general strengthening of civil rights statutes administered by the Justice department.

6. Stronger provisions for protection of the right of political participation, which would make a crime of intimidation or coercion of any citizen at the polls in primary and special elections as well as in general elections for federal officers.

7. A toughening up of alleged antipeonage, or involuntary servitude law. This measure would make an attempt to effect peonage illegal as well as an action itself.

8. Establishment of a 14-member joint congressional committee to make a continuing study of civil rights questions and make legislative recommendations for enactment of new law.

Humphrey said legislation designed to create a Fair Employment Practices Commission would follow in a few weeks.

Four-Point Program on Civil Rights Urged on Ike by Jewish Congess Head

NEW YORK. — A four-point program for advancing the cause of full equality for all Americans was proposed to President - Elect Dwight D. Eisenhower by Dr. Israel Goldstein, president of the American Jewish Congress, Saturday, Dec. 20, at a dinner opening the organization's national executive and administrative committee meetings.

Urging General Eisenhower to give to the problem of civil rights in the U. S., "the same intensive study and consideration which he has been devoted to our foreign affairs," Dr. Goldstein outlined the following four points of "major, and immediate significance" as basic to any meaningful civil rights program: enactment of a Federal Fair Employment Practices Bill with enforcement powers, establishment of a civil rights division in the Department of Justice, creation of a national commission on group relations, and elimination of segregation in the District of Columbia.

Trbute To Truman

Dr. Goldstein paid tribute to "the courageous and unceasing battle which President Truman had waged in the field of civil rights," but warned against complacency in this vital area and voiced a plea to the President elect "to look ahead with concern at the long road that must yet be travelled" before the American ideal of full equality for all people is reached.

Applauding General Eisenhower's promise to call a conference of state governors to press for state FEPC laws, he warned that "State laws cannot take the place of an effective Federal bill. During and since the election campaign, General Eisenhower modified his views on many matters. We are confident that study of the issue of providing equal opportunity of employment for all Americans will convince him that a Federal bill with enforcement powers is indispensable in the campaign to end discrimination in employment."

Asserting that the incoming administration will inherit in the department of justice "a civil rights section woefully undermanned and inadequate to enforce existing civil rights legislation," Dr. Goldstein urged General Eisenhower to expand that section into a division enjoying equal status with other divisions in the department, directed by a lawyer of national stature and dedicated to making the 14th amendment's pledge of full equality for all Americans "a meaningful reality."

Suggests A Commission

"General Eisenhower should establish, by executive order or statute, a commission on group relations, which would have the power to hold hearings on and investigate civil rights problems." This commission, Dr. Goldstein said, "should conduct a continuing appraisal of the status of civil rights to be summarized in annual reports to the President and the congress, and should also survey and issue special reports on critical developments as they occur."

By executive order, General Eisenhower can end the shame of segregation in our nation's capital, in large part, if not entirely, Dr. Goldstein said. "Since District commissioners have the power to eliminate segregation in a number of important areas, the new President should appoint commissioners committed to immediate implementation of his own pledge and to converting our National Capital into a symbol of human freedom," he added, emphasizing that the Nation's Capital "should be the showcase of the best in our national practices rater than, as at present, a permanent exhibition of the worst."

"Announcement of such a program by President-Elect Eisenhower would do much to assure the people in this country and of the world that we shall continue to move towards the fulfillment of the American ideal," Dr. Goldstein declared. "Understandably enough, the pronouncements which have come from the President-elect thus far have concerned themselves almost wolly with the tensions which exist on the international level.

"An affirmation by the President-elect of his plans for progress in the field of human rights would demonstrate to the world his understanding of the inextricable relationship between the ideals we seek for others and the rights we are determined to establish and to enforce at home. That demonstration is indispensable both here and abroad. It can assure for the President the kind of goodwill throughout the land which can contribute immeasurably to the success of his administration."

In conclusion, Dr. Goldstein emphasized that in the struggle for human rights, "it is far more important to concentrate on the unfinished tasks than to indulge in self-congratulation over what has been achieved.

"How can we be complacent," he asked, "in a year when the murderers of leaders of the National Association for the Advancement of Colored People have still not been brought to justice? How can we be smug in a year which witnessed the enactment of the McCarran Immigration Law, a law which makes no attempt even to conceal its arrogant racist bias, and assumptions? Or in a year when 40 nations ratified the Genocide convention and our own country continues to be dishonorably conspicuous by its failure to ratify? Or at a time when attempts to end segregation in public schools evoke threats and even official action to abolish state-wide public school systems?"

Dr. Nahum Goldmann, acting president of the World Jewish Congress and chairman of the Jewish Agency, speaking at the dinner, predicted that if no new emergencies arise, the state of Israel may look forward to the gradual stabilization of its economy. He based his prediction on the fact that the pressure on Israel has been relieved somewhat by tion and the income Israel can the abatement of mass immigra- anticipate from the West German government in payment for material claims. He asserted, however, that it will require the joint efforts of his generation of American and Israeli Jews to stabilize the fledgling state.

More than 250 Jewish community leaders from all parts of the country attended the dinner, which honored Dr. Goldstein on the completion of his first year as president of the American Jewish Congress.

Shad Polier, chairman of the national executive committee, presided.

Civil Rights Group Denied Prison Visit

Gov. Herman Talmadge of Georgia, right, talks with a group of New York women on his farm after the group appealed to him for permission to visit Mrs. Rosa Ingram, serving a life term for killing her white attacker. The group was refused by the Governor on the grounds that it was not within his power to grant such an interview. He further pointed out that visits there were limited by law to relatives and attorneys.

Southern Senators Act on Civil Rights

ALMOST UNNOTICED in the excitement of installing a new administration in Washington, ten Southern senators last week took a long step toward clarifying the South's position before the country on the issue of civil rights.

Southerners in Congress too long have been accused unjustly of being obstructionists on this issue. They have been the victims of misleading language. Much legislation has been lumped under the appealing term of "civil rights" which Sen. Richard B. Russell aptly says should be called "civil wrongs."

Most Southern senators and representatives believe strongly in the basic rights of citizens and stand ready to support them. They oppose such measures as a federal "Fair Employment Practices Commission" with compulsory powers because they believe such an act would invade and destroy the rights of some citizens while purporting to protect the rights of other citizens.

The viewpoint of forward-looking Southerners is made clearer when their spokesmen take positive action to advance the rights of citizens, rather than permitting themselves always to be put in a negative attitude.

Positive action for good has been taken by the Southern senators who again are proposing a constitutional amendment to eliminate the poll tax and other property qualifications as a requirement for voters in elections for federal offices.

Elimination of the poll tax long has been a favorite item in the program of civil rights advocates. Many Southerners in Congress have always agreed with them on this objective, but have differed as to method, saying the only legal way to do it is by constitutional amendment.

Such an amendment, which was allowed to die in previous Congresses, is now before the Senate again.

The senators who joined in introducing it are Spessard L. Holland and George A. Smathers of Florida, Walter F. George of Georgia, Clyde R. Hoey and Willis Smith of North Carolina, A. Willis Robertson of Virginia, Allen J. Ellender and Russell B. Long of Louisiana, and John L. McClellan and J. William Fulbright of Arkansas.

Speaking for them, Senator Holland expressed confidence that the requisite three-fourths of the states would ratify such an amendment promptly if Congress would submit it.

This is not the first time Southern senators have demonstrated their good faith in this matter. Senator Russell of Georgia suggested a similar amendment as long ago as 1944.

If senators from other regions who boast so loudly of their devotion to civil rights would come now to the support of this measure, a practical advance would result, combined with a demonstration that men of good will need not remain forever deadlocked.

Leadership Conference on Civil Rights Urges 83rd Congress to Start Action

New York.—The Leadership Conference on Civil Rights, a group of 53 national civic, labor, church, fraternal, veterans, and minority group organizations, this week vigorously urged action by the Eighty-third Congress to start the ball rolling immediately on passage of civil rights legislation.

The statement of the Conference, adopted by its steering committee and released by Walter White, NAACP executive secertary, and conference chairman, follows:

"The inclusion of statehood for Hawaii is the only civil rights item in the announced civil rights program agreed upon by President Eisenhower and the majority leaders in Congress. The silence on Alaska and the even more glaring welfare and security of millions of Americans and the Nation's standing in the Free World cannot be allowed to go unchallenged.

"The Leadership Conference again states its profound conviction that the greatest single need in the field of civil rights is an effective Federal Law, enforceable through the courts, prohibiting discrimination in employment. We call upon President Eisenhower and the Congressional leaders of his party to proceed to the immediate consideration of an action upon the bill introduced by Senator Ives, Humphrey, Morse and sixteen others of both major parties. Although there are more than a score of cities and eleven states that have FEPC laws and ordinances of varying degrees of effectiveness, the grossest, most tragic and costly discrimination in employment remains unto be touched and will not be touched except by effective Federal laws and uniformly enforced through the courts.

"We call upon the administration to take immediate steps to eliminate segregation and other forms of discrimination from all areas under Federal jurisdiction including the District of Columbia, and all employment under government contracts.

10 1953

Ike, Ignorant Of Report Made By Body On Federal Contracts, Will Look It Up

(By The NNPA)

WASHINGTON

President Eisenhower at his press conference last Thursday, directed James C. Hagerty, his press secretary, to look into another matter involving civil rights about which he said he did not know.

Asked about the report of the President's Committee on Government Contract Compliance, which President Truman is reported to have sent him before the inauguration, and what steps are being taken to reactivate the committee, Mr. Eisenhower expressed regrets that he was unable to answer the inquiry, but promised to do so this week.

The Committee on Government Contract Compliance submitted its report to President Truman last January 16, in which it made certain recommendations for improving the means of obtaining compliance by contractors and subcontractors with the federal government with a provision in their contracts obligating them not to discriminate against any worker on the basis of race or religion.

Still In Existence

There is no indication that any steps have since been taken to implement any of the recommendations of the committee, which theoretically is still in existence.

Dwight R. G. Palmer, chairman of the committee, and Irving M. Engel, one of the six members designated by President Truman, are reported to have resigned. The other four members appointed by the President are James B. Carey, Dowdal H. Davis, Oliver W. Hill and Boris Shishkin.

The other five members of the committee were designated by the heads of the participating agencies — the Defense Department, the Labor Department, the Atomic Energy Commission, the General Services Administration, and the Defense Materials Procurement Agency. What their status now is could not immediately be learned.

Truman Executive Order

The committee was created by an executive order issued by President Truman Dec. 3, 1951. Its membership was completed by executive appointment Jan. 31, 1951.

The executive order creating the committee directed it to examine and study the rules, procedures, and practices of the contracting agencies of the government to obtain compliance with the anti - discrimination clause in government contracts.

At a press conference last month President Eisenhower was asked to comment on segregated schools on army posts, run by post commanders for children living on the posts.

Within a week he directed that segregation in such schools be ended by next September and that a study be made of schools run by local school boards on federal property and in federally-owned buildings, aided by federal funds, with a view toward ending segregation in such schools and, if not, making other arrangements for their operation.

Sacco-Vanzetti Case Recalled

Civil Rights Record Of Justice Franfurter Cited

By LOUIS LAUTIER
For the NNPA News Service

WASHINGTON, D.C. — Justice Felix Frankfurter is perhaps the most unpredictable of the justices of the United States Supreme Court. He is one of the most intellectual of the justices who have sat on that court, an adroit questioner of lawyers who appear before the court, and an individualist.

Born in Vienna, Austria, November 16, 1882, Justice Frankfurter was brought to the United States in 1894. He received his bachelor of arts degree from the College of the City of New York in 1902 and his law degree from Harvard in 1906. The University of Oxford conferred upon him the degree of, Doctor of Civil Law in 1939.

JUSTICE Frankfurter served his legal apprenticeship as assistant United States attorney for the southern district of New York from 1906 to 1910. He was law officer of the Bureau of Insular Affairs, War Department, from 1911 to 1914. He became a professor at Harvard Law School in 1914 and held that position until his appointment to the Supreme Court by the late President President Franklin D. Roosevelt on January 5, 1939.

In June, 1932, he declined Governor Ely's nomination to the Massachusetts Supreme Judicial Court.

* * *

JUSTICE FRANKFURTER was a friend of the late Justice Oliver Wendell Holmes and, while in Washington, often visited Justice Holmes at his Eye street address. He is the author, among other books, of "The Case of Sacco and Vanzetti," 1927; "Mr. Justice Holmes and the Supreme Court," 1939: Mr. Justice Holmes," 1931, and "Mr. Justice Brandeis," 1932.

This biographical sketch was well grounded in liberalism. His concern with the Sacco and Vanzetti case and his association with Justice Holmes and the late Justice Louis D. Brandeis are proff.

* * *

NICOLA SACCO, a fish peddler and philosophical anarchist, and Bartolomeo Vanzetti, shoe factory worker and radical agitator, were arrested April 15, 1920, for the murder of Fred Parmenter, paymaster, and Alex Beradelli, helper who were carrying two boxes of payroll money in South Braintree, Mass.

They were convicted. On appeal, the Massachusetts Supreme Jucicial Court, reviewing the law and not the evidence, affirmed the convictions.

On May 12, 1926, C. Medeiros, convicted of murder, testified that he had taken part in the Braintree attack and that Sacco and Vanzetti were not present. A new appeal was rejected by Judge Webster Thayer, the trial judge, on Oct. 28, 1926, in a 25,000 word argument, which Justice Frankfurter, then teaching in the Harvard Law School, denounced for its inaccuracies.

* * *

SACCO AND VANZETTI were executed by the State of Massachusetts on August 22, 1927. In 1931 the Wickersham Commission on court procedure condemned Judge Thayer for having denied six motions for a new trial and then refused to have the question of his prejudice submitted to another judge.

So much for Justice Frankfurter's background. Let's search his record in civil rights cases during the fourteen years he has served on the Supreme Court and then see if you can predict how he will vote in the five school segregation cases which are set for reargument next October. 12.

* * *

BUT BEFORE DOING so it should be noted:

1. Justice Frankfurter is the only Supreme Court judge in the history of the court who has had a young colored lawyer serve as his law clerk - a wonderful experience Following the practice of Justice Holmes, he chooses his law clerk each year from the graduating class of the Harvard Law School. One of those he has chosen is William Coleman, of Philadelphia, who served as his law clerk for a year.

2. Justice Frankfurter often disagrees with both the majority and and the minority of the court and writes a separate opinion in which he states his own individual views.

One of the first opinions of the court, written by Justice Frankfurter, upheld the right of colored voters to register and, therefore, vote in Oklahoma.

I. W. Lane sued three Oklahoma county officials for damages of $5,000 for refusing to register him on October 17, 1934. He charged violation of the Fifteenth Amendment.

* * *

IN A 6 TO 2 decision the court invalidated a statute enacted by the Oklahoma Legislature to bar colored persons from registering and voting. It contained provisions easily met by white voters, but virtually insurmountable to Negros.

In reference to it, Justice Frankfurter wrote:

"We believe that the opportunity . . . given Negro voters to free themselveh from the effects of discrimination to which they never should have been subjected, was to cabined and confined."

* * *

JOSEPH E. Snowden sued in the Federal District Court at Chicago to recover damages he claimed he suffered at the hands of members of the State Primary Canvassing Board of Illinois.

The District Court dismissed the suit on the ground that the facts alleged did not show that Snowden had been deprived of any federally secured civil right.

The United States Circuit Court of Appeals affirmed the decision The Supreme Court, in a 6-to-2 decision, upheld the judgement of the lower court.

Justice Frankfurter wrote a con-

cerning opinion.

(Justice William O. Douglas, in a dissenting opinion in which the late Justce Frank Murphy joined said he thought Snowden should be given an opportunity of showing that he was denied the equal protection of the laws by "an invidious, purposeful discrimination," and not have his case dismissed on motion.

* * *

JUSTICE Frankfurter wrote a separate opinion concurring in the opinion of the court in the celebrated Irene Morgan case, in which the court held invalid a Virginia statute requiring racial segregation of both interstate and instrastate passengers on buses.

* * *

HE SAID, "the imposition upon national systems of transportation of a crazy-quilt of state laws would operate to burden commerce unreasonably, whether such contradictory and confusing State Laws concern racial commingling or racial segregation," he wrote, concurring in the opinion of the court in the Morgan case.

"The states cannot impose diversity of treatment when such diverse treatment would result in unreasonable burdens on commerce," he said.

CIVIL RIGHTS BLOC VICTOR IN OREGON

Foes of Measure Abandon Fight to Keep It From Becoming Law Pending 1954 Vote

Special to THE NEW YORK TIMES.

PORTLAND, Ore., July 25 — Oregonians, who thirty years ago gave the Ku Klux Klan more than marginal encouragement, apparently will not support efforts to throw out civil rights legislation today.

The test came to a head July 17 when the Civil Freedom Committee abandoned its efforts to keep civil rights legislation from becoming law last Tuesday. The committee announced it had been unable to get more than 11,000 of the 23,375 referendum petition signatures needed to keep the act inoperative pending a decision by the voters in November, 1954.

During World War II, Portland was considered as tense, racially, as any Pacific Coast city, but law enforcement agencies reported no friction or violence and none has occurred since.

Pastor Was a Sponsor

The fight against civil rights was organized by a number of hotel, motel, restaurant and tavern operators. Rev. Elbert D. Riddick, rector of the Episcopal Church of the Good Shepherd, served as chief sponsor of the referendum in spite of protests from others of his denomination.

The act to which they objected gave "all persons within the jurisdiction of this state full and equal accommodations, advantages, facilities and privileges of any place of public accommodations, resort or amusement, without any distinction, discrimination or restriction on account of race, religion, color or national origin."

Hotels, motels or motor courts and all public places serving food, drink or providing entertainment were included, except for private clubs and institutions.

Persons suffering discrimination or given cause of action can sue to recover a maximum of $500. State Senators passed the bill, 21 to 9; Representatives, 46 to 11. It was approved by Gov. Paul Patterson before the referendum action was started.

3,500 Petitions Distributed

The Civil Freedom Committee distributed 3,500 petitions early in June. Its attorney, John Reynolds of Portland, said the campaign was "going well." Then another group, the Oregon Committee for Equal Rights, challenged the ballot title, declaring the act did not apply to apartment houses, barber shops and many other places of "public accommodations." Attorney General Robert Y. Thornton ruled, in the meantime, that waitresses and other employes could not solicit petition signers while on duty without violating a law forbidding payment for obtaining signatures.

The State Supreme Court simultaneously refused to allow the Civil Freedom Committee to intervene in defense of the ballot title, which later was modified. In a separate maneuver, the Oregon Committee for Equal Rights warned a successful referendum campaign would bring on a counter movement for an even stronger law guaranteeing civil rights.

Almost concurrently, a number of hotels, motels and restaurants, which had been identified with the referendum, disavowed any connection with it. In the meantime the Attorney General ruled petition signatures already collected could be counted in spite of the changed ballot title. Despite that concession death of the campaign was announced two days later.

How Civil Rights Fared

Record of Congress on Enactment of Major Legislation Reviewed

TO THE EDITOR OF THE NEW YORK TIMES:

The first session of the Eighty-third Congress, like that of the Eighty-second, has failed to debate, let alone enact, a major civil rights bill. The only law adopted even resembling a civil rights measure was one that repealed a 100-year-old restriction against the sale of liquor or firearms to Indians.

The session began with a determined onslaught by the liberal bloc against the Senate rule requiring a two-thirds vote to limit debate, using the argument that the Eighty-third Congress was not bound by the ineffectual closure rule of the prior Congress. Their defeat on Jan. 8 by a 70-to-21 vote seemed to have exhausted all of the energy of the civil rights advocates.

The record during the remainder of the session was a bleak one. The Senate Rules Committee did report out the Jenner resolution to reduce the number of votes required to stop a filibuster from two-thirds of all the Senators to two-thirds of those present and voting, but this limited reform was not on the "must" list of the Administration and is still unfinished business.

The Ives fair employment practices bill introduced by nineteen Senators from both parties was not scheduled for committee hearing. Even Senator Dirksen's mild proposal for a voluntary "educational" F. E. P. C. received no consideration. The failure to consider even "voluntary" fair employment legislation, i. e., without sanctions or enforcement powers, contrasts with the adoption by the House in 1950 of the McConnell voluntary F. E. P. C. bill.

Amendment to Labor Law

Efforts to outlaw discriminatory practices by employers and trade unions through amendments to the Taft-Hartley law were supported during the committee hearings in each house, but await final decision on revision of the entire act.

Anti-lynching and anti-poll tax bills were sponsored by Senators Ferguson and Humphrey and by many members of the House, but again were pigeonholed in committee. This record in prior years was much better. A poll-tax bill has been passed by the House of Representatives on four different occasions since 1942, and an anti-lynching bill has three times been adopted by the House.

A great variety of other bills were introduced in both houses, including measures to expand the civil rights section of the Department of Justice, to strengthen the Reconstruction civil rights laws still on the books, to establish a permanent commission on civil rights with nonregulatory powers, to abolish segregation in the District of Columbia, to protect armed forces personnel against assault (designed to safeguard Negro soldiers in the South) and to make financial grants to municipal commissions on group relations. But none mustered sufficient support to get out of committee.

President Eisenhower gave no leadership in any of these legislative efforts. His activities were confined to eliminating segregation in veterans' hospitals, Army posts and Navy shipyards, although it is rumored that he will shortly revive the President's Committee on Government Contract Compliance to enforce anti-discrimination clauses in Government contracts.

State Legislation

The legislative crop in the forty-four state Legislatures that met this year was not more encouraging. Efforts to enact state F. E. P. C. laws in the key industrial states of California, Illinois, Indiana, Michigan, Ohio and Pennsylvania failed. Although twenty state civil rights laws were enacted, the only significant measures were an Oregon law forbidding racial or religious discrimination by hotels, restaurants and other places of public accommodation and a North Carolina anti-Ku Klux Klan statute outlawing the wearing of masks or the burning of crosses for purposes of intimidation.

More important civil rights advances since the first of the year were made before the United States Supreme Court. The court upheld an 1872 law forbidding racial discrimination by restaurants in the District of Columbia. It refused to allow damage suits against signers of restrictive real estate contracts who in violation thereof sold property to Negroes. It invalidated a "white primary" rule of a faction of the Democratic party in Texas. Finally, it refused to countenance a Georgia practice that facilitated the exclusion of Negroes from juries.

The dismal record in the Legislatures is perhaps explainable in part by the nation-wide move to the Right as a result of the last elections. More basic, however, is the failure of civil rights, religious and minority groups to organize a constituency strong enough politically to exact pledges and to punish those who betray them.

WILL MASLOW,
Director of the Commission on Law and Social Action, American Jewish Congress.

New York, Aug. 7, 1953.

Brownell, Aid Say U.S. Will Defend Rights

WASHINGTON — Atty. Gen. Herbert Brownell and Arthur B. Caldwell, chief of the civil rights section of the Justice Department, declared last week that the department will intensify efforts to safeguard the civil rights guaranteed by the Constitution and protected by federal laws.

Brownell, in reply to complaints by several governors that the FBI is infringing on the police powers of the states, asserted that "the federal government has no design or purpose to extend its police powers in the states, but the governments have a dual responsibility."

Declaring that the Justice Department is compelled to enforce federal laws, Brownell said the FBI and other divisions of justice will remain firm in the enforcement of civil rights laws as long as they remain on the statute books.

Caldwell, in an address to Jewish War Veterans in Chicago last Friday, declared adequate enforcement of civil rights requires more than laws and enforcement of officials.

"There must be wholehearted support on the part of all citizens who treasure these rights and our system of government," Caldwell said. This support must come from the private citizen in many ways in his willingness to assume his responsibilities under our judicial system to serve as witnesses, to serve in courts as citizen jurors and — particularly important — to report to the federal bureau of investigation or the civil rights section any violations of the civil rights statutes, whether or not the person reporting it is immediately affected."

Caldwell, too, asserted that the Department of Justice "will not encroach on states rights or the police power of the states."

10 1953

Frankfurter's record reviewed

Often in conflict with other judges

Rulings disclose strong trait of individualism

By LOUIS LAUTIER

WASHINGTON (NNPA) —In a review of opinions in civil rights' cases written by Justice Felix Frankfurter, the most unpredictable justice on the Supreme Court, some of the more recent cases, rather than the earlier ones, may be more revealing as to how he will vote in the five school segregation cases, reargument of which has now been postponed until Dec. 7.

One of these opinions, written in three cases grouped together, illustrates two characteristics of Justice Frankfurter: (1) That he is an individualist, often expressing his own individual views, and (2) his strict adherence to the principle that a denial of certiorari to review a judgement of lower court has no bearings on the merits of a case.

Because views expressed by Justice Frankfurter are often at variance with both the opinion of the court and the dissenting opinion, reporters covering the Supreme Court will often write, for instance, that the court decided an issue, 6 to 2, with a separate opinion by Justice Frankfurter.

Four Under Sentence

The four petitioners in the group of three cases were four young colored men under sentence of death imposed by North Carolina state courts. Clyde Brown and Raleigh Speller were convicted of criminally assaulting white women; Bennie and Lloyd Daniels were convicted of murdering a white man.

After the North Carolina Supreme Court affirmed the convictions, the United States Supreme Court refused to review the cases. The four condemned men then applied to the Federal District Court at Raleigh for writs of habeas corpus to review federal questions raised in the state trials.

The chief constitutional claims throughout the long proceedings in these cases were: (1) extorted confessions used to convict, and (2) colored persons were delibrately excluded from service as jurors on account of their race.

Fair Trails Ruled

The Federal District judge held that the four men had been given fair trials in the state courts.

In denying habeas corpus in these cases, the District Court gave weight to the refusal of the United States Supreme Court to grant certiorari to review the cases. So did the Fourth United States Circuit Court of Appeals in upholding the judgments of the District Court dismissing the petitions for habeas corpus.

The Supreme Court granted a review of the judgments of the Court of Appeals. By a 6-to-3 decision, the court affirmed the judgments of the Court of Appeals.

This decision may have far-reaching effects on the rights of defendants to a review by federal courts of federal constitutional questions raised in state trials. In other words, it may leave to state courts the final say as to whether defendants have had fair trials in state courts where questions of due process of law are raised.

Six Opinions

In all, there were six opinions written in the three cases which were grouped together and treated as one.

Justice Stanley F. Reed delivered the opinion of the court, in which only three judges concurred in full. Affirming the judgments of the lower courts, Justice Reed said:

"As the state and federal courts have the same responsibilities to protect persons from violation of their constitutional rights, we conclude that a federal district court may decline, without a hearing of the facts, to award a writ of habeas corpus to a state prisoner where the legality of such detention has been determined on the facts presented, by the highest state court with jurisdiction, whether through affirmance of the judgment on appeal or denial of post-conviction remedies."

But Justice Reed's opinion represented the minority view on the significance of the Supreme Court's denial of certiorari.

Justices Harold H. Burton and Tom Clark joined in the judgment of the court but concurred only in part of Justice Reed's opinion. Justice Robert H. Jackson concurred in the results but wrote an opinion stating his reasons.

Black Dissents

Justice Hugo Black wrote a dissenting opinion, in which Justice William O. Douglas concurred. They voted to reverse the cases for the district judge to "consider and appraise the issues free from his erroneous belief thata this court decided them against petitioners" by previously refusing to review the convictions.

The court agreed that it was erroneous for the District Court and the Court of Appeals to give weight to the Supreme Court's prior denial of certiorari, but it disagreed sharply over the significance of the denial.

Justice Frankfurter wrote two opinions. One was a dissenting opinion, in which Justices Black and Douglas joined. He took the position that the denial of habeas corpus in the Brown and Speller cases was vulnerable; that in the Daniels case there had been a miscarriage of justice.

Standards Given

In his "separate" opinion, Justice Frankfurter disagreed with the views of Justice Reed and the three judges who concurred in his opinion respecting the significance of a denial of certiorari and laid down standards to govern district judges in the disposition of applications for habeas corpus.

Speaking as tse Harvard law professor, Justice Frankfurter said:

"We have repeatedly indicated that a denial of certiorari means only that, for one reason or another which is seldom disclosed, and not infrequently for conflicting reasons which may have nothing to do with the merits taken by a majority of the court, there were not four members of the court who thought the case should be heard."

Discussing the bearing of proceedings in state courts upon the disposition of an application for habeas corpus in federal district courts, he said:

"I yield to no member of this court in awareness of the enormity of the difficulties of dealing with crime that is the concomittant of our industrialized society. And I am deeply mindful of the fact that the responsibility for this task largely rests with the states.

"Would Not Hamper

"I would not for a moment hamper them in the effective discharge of this responsibility. Equally am I aware that misuse of legal procedures, whereby the administration of criminal justice is too often rendered leaden - footed, is one of the disturbing features about American criminal justice.

"On the other hand, it must not be lost sight of that there are also abuses by the law-enforcing agencies. It does not lessen the mischief that it is due more often to lack of professional competence and want of an austere employment of the awful processes of criminal justice than to wilful misconduct.

"In this connection it is relevant to quote the observation of one of the most esteemed Attorneys General of the United States, William D. Mitchell:

' "Detection and punishment of crime must be effected by strictly lawful methods. Nothing has a greater tendency to beget lawlessness than lawless methods of law enforcement.

Concludes Opinion

" 'The greater the difficulties of detecting and punishing crime the greater the temptation to place a strained construction on statutes to supply what may be thought to be more efficient means of enforcing law. The statutory and constitutional rights of all persons must be regarded, and their violation, inadvertent or otherwise, is to be avoided.' (Department of Justice release for April 8, 1929.)"

Justice Frankfurter concluded:

"It is inadmissible to deny the use of the writ merely because a State Court has passed on a Federal constitutional issue. The discretion of the lower courts must be canalized within banks of standards governing all Federal judges alike, so as to mean essentially the same thing to all and to leave only the margin of freedom of movement inevitably entailed by the nature of habeas corpus and the indefinable variety of circumstances which bring it into play."

Justices Black and Douglas agreed with Justice Frankfurter than previous denial of certiorari in a case should be given no legal significance in a habeas corpus case before a federal district court. They also agreed in substance with the remainder of his "separate" opinion.

Civil Rights Cases

Police officers Raymond Flowers of Valdosta and Harry Lee Boyd of Waycross were indicted Thursday on charges of violating federal civil rights statutes in separate cases involving Negroes . . . The Soldier's Medal is being recommended for Sgt. Sebastian A. Paciello, stationed at Camp Gordon, for rescuing Misses Marie and Elise Meyer from drowning in a pond near Augusta.

Governors Assail F. B. I. For Civil Rights Probes

By Jack Steele

SEATTLE, Wash., Aug. 3.—Several Governors bitterly assailed the Federal Bureau of Investigation here today for invading the "police powers" of the states by investigating complaints of alleged violations of civil rights of inmates of state prisons and mental institutions.

Gov. John S. Fine of Pennsylvania, a Republican, touched off the civil rights discussion which followed the opening session of the forty-fifth annual Governors' Conference here by attacking the use of post-Civil War statutes by the Justice Department and the F.B.I. to investigate the death of a boy in a Pennsylvania mental hospital.

He charged that the situation is "fraught with dangers," because it involves invasion by the Federal government of the rights of states under statutes passed nearly ninety years ago in the "vengeful spirit" of the Reconstruction Era.

Gov. Thomas E. Dewey of New York, although he did not join in the discussion, later went even further than Gov. Fine as he told reporters that the 1866 civil-rights statute under which the F. B. I. is required to make such probes should be repealed as it applies to inmates of state institutions.

"I agree with Gov. Fine", Gov. Dewey said, "I understand a number of the other Governors agree with him, too."

The New York Governor said that his state has more than 110,000 patients in mental hospitals and thousands more confined in its prisons and that the state would "swarm" with F.B.I. agents if the Federal Government decided to investigate every complaint of an alleged civil rights violation by inmates of these state institutions.

Gov. John S. Battle, of Vir-

...nia, also supported Gov. Fine, asserting that the F. B. I. had also investigated a complaint of brutality by an inmate of a Virginia prison even though the state had tried and convicted those guilty of the assault on the prisoner.

"If the Federal government through the F.B.I. is going to investigate every incident in state mental institutions and prisons," he said," it is going to have a pretty big job on its hands and to interfere with the orderly operation of the state governments."

The debate by the Governors had a direct bearing on the so-called "police brutality" investigation in New York City.

Arising out of an alleged agreement by the Justice Department to let the Police Department prove civil rights cases, before it stepped in to enforce the post-Civil War statutes, according to evidence produced at Congressional hearings, former Attorney General James P. McGranery stepped in last year to cancel such an informal agreement, and Herbert Brownell jr., present Attorney General, turned down overtures from the New York Police Department to revive this alleged "deal."

The discussion started by Gov. Fine marked the first time, according to officials of the Governors' Conference, that a touchy civil rights issue had arisen during one of its sessions, and that the F. B. I. had been openly attacked by the Governors.

Attacks F. B. I.

Gov. Fine, in a bitter vein, charged that the F. B. I. had demanded "complete co-operation" from Pennsylvania, to investigate its institutions, but had refused in turn to help the state in prosecuting violators of state laws.

"Where the Federal authorities have information which would be helpful to state officials in prosecutions for state crimes, it is virtually impossible to obtain that information," he said.

Any concerted demand by the Governors for either repeal or non-enforcement of the civil rights statutes—even if limited to state institutions—would almost certainly touch off an uproar in Congress.

Civil rights groups have long demanded more rigid enforcement of these statutes and legislation has been introduced in Congress for several years to strengthen these old laws, only to be blocked by the threat of a filibuster by Southern Senators which has stymied all civil rights measures.

Gov. Fine did not specifically call for repeal of the statutes, but made it clear that he could see no other solution to what he charged was the Federal government's interference with the police powers of the states.

Not Blaming Brownell

He emphasized that he was not blaming the Eisenhower administration or Attorney General Brownell for recent use of the 1866 statutes as the basis for F. B. I. probes of state institutions.

He disclosed that he had raised the issue several months ago when the Governors met with President Eisenhower and Administration officials in Washington and said he had been informed then that the law required the Justice Department to investigate all civil rights complaints.

"Once it becomes known generally that the F. B. I. will investigate an alleged deprivation of a civil right," Gov. Fine warned his colleagues, "every prisoner as well as many of the other persons confined will seek the aid of the F. B. I. to be released.

"Every commitment or sentence could conceivably be challenged as well as the standards within many institutions, such as the food served, the disciplinary measures invoked and living conditions in general."

He added that he had been informed that the F. B. I. had already investigated complaints by prisoners they had been beaten, forced to eat unwholesome food, denied the right to worship "and even denied the right to vote."

Round-Table Session

The issue arose at a round-table session devoted to Federal-state relations at which many Governors of both parties hailed the Eisenhower administration for its co-operation in the long campaign of the state executives to return many responsibilities and taxing powers to the states.

Gov. James F. Byrnes, of South Carolina, who presided, decried the trend toward centralization of power in the Federal government in the last twenty years of Democratic administrations and urged that states in many fields be ended promptly.

"The time has come for the Governors of the sovereign states to oppose any new Federal-aid projects," he said. "We should go further and consider what existing Federal grants can be abandoned."

Gov. Byrnes noted that, while little headway had been made i nthis campaign by the Governors, he was now encouraged by the attitude of Gen. Eisenhower that progress would soon be made to restore many state rights and responsibilities.

Officials Questioned

Several top Administration officials answered questions by the Governors relating to Federal-state relations in a friendly atmosphere that caused several state executives to remark on the contrast with some of the stormy sessions they had in recent years with Federal officials.

Among those who spoke briefly were Mrs. Oveta Culp Hobby, Secretary of Health, Education and Welfare; Douglas McKay, Secretary of the Interior; Harold E. Talbott, Secretary of the Air Force, and Walter Williams, Under Secretary of Commerce.

A brief political debate flared when Gov. G. Mennen Williams, of Michigan, a Democrat, charged that the "hard money" policies of the Eisenhower administration were adversely affecting states and local governments by driving up the interest rates and making it difficult to float bond issues.

Gov. Alfred E. Driscoll, of New Jersey, a Republican, retorted that he would "prefer to pay a higher price for the purchase of money than to tax all of our citizens through runaway inflation," but conceded that the Federal government should co-ordinate with the states in changing fiscal policies.

A dissent was also sounded today by Gov. J. Bracken Lee, of Utah, from the general approval of the fiscal and other policies of the new administration given by Republican Governors here yesterday.

Gov. Lee, who backed the late Sen. Robert A. Taft for the Republican Presidential nomination, told a press conference: "I think we are letting the people down on our pledge to balance the budget."

He said the Eisenhower administration owed it to the people to cut taxes and added: "I don't go along with the idea you should reduce expenditures and then cut taxes; you should cut taxes arbitrarily and then make the budget fit."

Gov. Lee said he found the reaction "mixed" to Gen. Eisenhower's first six months in office, noting that some people seemed to be "disappointed" and others to feel that the President was doing the best he could.

Brownell for civil rights

Talks to Shriners; Jackson re-elected

DENVER, Colo. — "In order to combat juvenile delinquency and stop the trend toward ever-increasing volume of crime in this country ... to maintain freedom in this country — nothing is more important than the protection of the civil rights of our citizens."

That statement was made Monday by Attorney General Herbert Brownell Jr. in an address before a public session of the 53d annual convention of the Ancient Egyptian Arabic Order, Nobles of the Mystic Shrine, in City Auditorium here.

Cites Thompson Case

Mr. Brownell approached the civil rights issue and gave the Eisenhower administration credit for the successful appeal of the Thompson restaurant case — which opened all D.C. restaurants to all persons — near the end of his address.

He said that while the administration would not encroach upon states' rights, it would intensify its efforts to safeguard the civil rights "guaranteed our citizens by the U.S. Constitution and protected by federal laws."

The attorney general, who had opened his speech by painting a stark picture of crime in the United States, said, in part:

"When we came to Washington in January, we found that the District of Columbia did not allow colored persons to eat in the same restaurants with white people.

"Accordingly, we intervened in a case in the federal courts, known as the Thompson restaurant case, and took the position that the law which abolished segregation in public restaurants was valid and should be enforced.

"The Supreme Court of the United States upheld our position and I am very proud that one of the first acts of my administration of the affairs of the Department of Justice resulted in wiping out this blot in the reputation of our nation's capital.

Ridicules Alarmists

"We were warned that if the court upheld us in the Thompson restaurant case that social unrest and physical violence might occur in Washington when the law was enforced.

"I am very glad to be able to say that nothing of that sort happened and congratulate the colored community of Washington on the splendid attitude that all of its members took in helping to make the new law work in an orderly manner.

"Freedom is indeed everybody's business. It is a dynamic concept in the fight against oppression. Our civil rights are the lifebook of our freedom. A denial of a civil right is a curtailment of a freedom. Any deprivation of civil rights is exploited to the hilt by the Communists.

"We propose to work in cooperation and harmony with all state officials to protect the civil rights of all of our citizens.

"The Department of Justice will not encroach on states' rights or the police power of the states. Just as in other cases of dual jurisdiction — such as car theft cases, drug cases and many others — we will work with the state authorities toward a common goal.

"We have made it clear, however, that we do not intend in any way to lessen the enforcement of the federal law in the field of civil rights. On the contrary, our efforts to safeguard the civil rights guaranteed our citizens by the Constitution and protected by federal laws will be intensified."

Dr. Jackson Re-Elected

Highlighting Tuesday's session was the re - election of Dr. Raymond E. Jackson of Buffalo, imperial potentate since 1939, by an overwhelming majority of 356 votes to 77 for John W. Dobbs, the only other contestant.

This was Mr. Dobbs' second defeat in a race for the highest post in Shrinedom, he having sought the office in 1950. Dr. Jackson's re-election followed the delivery of his annual message, during which he issued a challenge to every major phase of American society.

With re-election of Dr. Jackson, the entire incumbent slate was returned to office.

Mrs. Ercelle Harmon Moore, imperial commanderess of Daughters of Isis, was elected in 1952 for a three-year term; so was not subject to re-election. All of the other officers were re-elected.

Earlier, the 3,000 Shriners and Daughters of Isis attending the convention had heard an address by Dr. J. B. Blayton Sr. of Atlanta, principal speaker on a panel of public relations experts discussing the theme: "Today's need for a constructive public relations program in our American institutions."

General theme of the convention was "Freedom is Everybody's Business."

No site for the 1954 convention had been selected at presstime, but bids had been placed by Los Angeles and Atlantic City.

10 1953

Eisenhower Calls For Equal Negro Rights

By Robert J. Donovan

WASHINGTON, May 19.—President Eisenhower, speaking today at a luncheon of the United Negro College Fund, called for equality of opportunity for Negroes and criticized those customs and practices "that make for second-class citizens."

The President told the gathering in the National Press Club on the tenth anniversary of the fund: "I believe the only way to protect my own rights is to protect the rights of others."

The luncheon was also given in honor of the Rockefeller family and the General Education Board established in 1902 by the late John D. Rockefeller sr., for their interest in Negro education in the last half century.

On behalf of the United Negro College Fund, Dr. F. D. Patterson, president of the fund and of Tuskegee Institute, presented a scroll to John D. Rockefeller 3d. Gen. Eisenhower added his own congratulations to the Rockefeller family.

"I join with you," he said, "in bringing my own deep sense of obligation to the Rockefeller family—a family that has seen this type of need and has done something within the terms of private enterprise, private initiative and co-operative spontaneous co-operation and did not wait on some kind of law to get done a thing that they saw needed to be done."

The late Mr. Rockefeller founded the General Education Board in 1902 for the "promotion of education within the United States of America without distinction of race, sex or creed." Since then it has contributed more than $300,000,000 [illegible] re than $55,- [illegible] egro education.

Negro College [illegible] anized it has re- [illegible] ,000 from the board.

In g[illegible]ting the guests at the luncheon the President said in part:

"By his or her presence here each person attending this meeting shows their support for several things in which I passionately believe. One of them is support for the Constitution of the United States, which, written in the recognition that all people are the children of God, made no distinction among them by reason of inconsequential factors over which they themselves had no control.

"Meticulously Observe"

"I believe that those of us who preach so loudly about Constitutional government advance our cause as we meticulously observe that particular factor or foundation of that great document.

"Another thing I have preached, as have many others, is against the theory that there can be any second-class citizen. I believe that as long as we allow conditions to exist that make for second-class citizens, we are making of ourselves less than first-class citizens. In other words, I believe the only way to protect my own rights is to protect the rights of others. Everything that the Constitution accords me I must defend for others or else finally there will be nobody left to defend me."

The President said persons supporting the United Negro College Fund were supporting the ideal of racial equality and helping make it possible for the Negro to compete with trained white persons.

B'nai B'rith Asks Civil Rights Aid

By Paul Tobenkin

MONTICELLO, N. Y., May 24.—An appeal to President Eisenhower, Congress, the press and the American people to re-examine the procedures used in loyalty investigations to insure that basic American liberties and rights are protected while subversion is rooted out, was voiced today at the opening of the 101st annual convention of District 1 of B'nai B'rith.

The 1,200 delegates to the District 1 convention represent 100,000 B'nai B'rith members in New York State, New England and [illegible] Canada.

Resolutions Adopted

A resolution for the preservation of civil liberties and others calling for the passage of a cultural rule in the Senate, revision of the McCarran-Walter immigration act, and the adoption of fair employment practices legislation were passed unanimously by the district's sixty-member general committee.

The convention strongly approved increased American vigilance against Communist infiltration and subversion but warned "these necessary measures can and must be taken without trespassing upon our traditional civil rights, and without needlessly imposing upon the American people a climate blanket suspicion, anxiety and fear."

In its criticism of the methods used by Congressional committees the convention stated:

"In recent years there has developed a tendency to brush aside the classic American safeguards of human liberty—painstaking investigations, fair and impartial hearings, the right to confront and cross-examine one's accusers and the presumption of innocence until guilt is proved. This tendency has substituted for these safeguards the destruction of reputation by rumors, defamation and the intimidation of criticisms. This tendency has injured those institutions which have made America strong and great."

EQUAL RIGHTS PLAN NEARS SIGNAL GAIN

University Women Expected to Switch From Opposition at Meeting Next Week

By BESS FURMAN

WASHINGTON, June 19—A full-scale debate on the thirty-year-old Equal Rights Amendment, scheduled for Wednesday at the Minneapolis convention of the American Association of University Women, is expected to bring a switch of the 124,000-member organization from the "against" to the "for" side.

The association's Status of Women Committee, of which Dr. Rosamonde Boyd of Converse College, Spartanburg, S. C., is chairman, has recommended a reversal of the stand adopted in 1947. However, Dr. Boyd has circulated to the membership an eighty-three-page portfolio giving an analysis of arguments against as well as for the amendment.

The association's board of directors continues to oppose the amendment pending convention decision by the membership.

Should the recommendation of Dr. Boyd's committee receive convention endorsement the association would include in its legislative program the following:

"Endorsement and active support of a Constitutional Amendment providing that equality of rights under the law shall not be denied or abridged on account of sex."

Foes Concede Gain in Drive

While a reversal by one of the leading women's organizations of a long-held position would not necessarily signal a rush by Congress into favorable action, there is a view even by its opponents that the amendment now has its best chance in the three decades to be sent on to the states for final decision.

Essentially, it is a states-rights issue. The state-Federal type of cleavage has been evident all through the three decades that the issue has been at the center of a battle by two opposing schools of feminine thought, both developments of the suffrage campaign.

Miss Alice Paul, one of the founders of the National Woman's Party, drafted the Equal Rights Amendment as a way to remove all further legal discriminations against women. The amendment was first introduced in 1923.

The National Women's Party has since lobbied Congress in its behalf from Capitol Hill headquarters and has sought support from other women's organizations.

The National League of Women Voters, on the other hand, has taken the stand that any such Federal equal rights sweep would cause legal chaos in the states, negating protective laws for working women and subjecting to court tests all state laws on such matters as alimony, support of children, dower rights and age of consent at marriage.

Long lists of national organizations have sided with each of these opposing stands. Labor and church groups in the main have opposed the amendment; many professional women's groups have supported it.

Alternate Plan Backed

Since 1947 its opponents have backed the Legal Status Bill, which declares against legal sex distinctions except as "reasonably justified by differences in physical structure, biological or social functions," and which would set up a Commission on the Status of Women to report on remaining discriminations and recommend corrections.

Representative Emanuel Celler, Democrat of Brooklyn, chief sponsor of the Legal Status Bill at this session, is active in his opposition to a favorable report on the Equal Rights Amendment by the House Judiciary Committee.

The amendment has been reported favorably by the Senate Judiciary Committee and Senator William F. Knowland, Republican of California, acting floor leader, has promised to bring it up this session. However, Senator Carl Hayden, Democrat of Arizona, who in 1950 succeeded in attaching to the Equal Rights resolution a "teeth-pulling" amendment exempting protective laws for women, has announced that he will seek to amend the resolution in its present form.

Two Officers Are Indicted At Newport

Face Civil-Rights Count In Jailing Of C.-J. Man

By HUGH L. MORRIS

The Courier-Journal Frankfort Bureau

Covington, Ky., July 28.—Newport Police Chief George Gugel and Detective Chief Le Roy Fredericks were indicted by a federal grand jury late today for violating the civil rights of a Courier-Journal photographer.

Also indicted were Albert "White Smitty" Schmidt, Cincinnati, on a charge of interstate transportation of lottery tickets, and Joe Helmers and Joe Westerhaus, Cincinnati amusement-machine distributors, on a charge of interstate transporting slot machines.

The special grand jury, empaneled in April by Federal District Judge Mac Swinford to investigate vice and crime conditions in Northern Kentucky, was discharged by the judge at 7 p.m. today after it had made its final report.

Grow Out of Raid

The indictments against Chief Gugel and Detective Fredericks were an outgrowth of a raid July 1 on Glenn Schmidt's Playtorium in Newport by Newport Detective Jack Thiem and 17 special deputies from Louisville.

George Bailey, Courier-Journal photographer, was arrested when he attempted to photograph Gugel and Peter Schmidt, owner of the Playtorium. Gugel ordered Bailey's films destroyed and the photographer jailed.

Case Was Dismissed

Newport Police Judge Alfred G. Maybury later dismissed charges of trespassing and breach of peace against Bailey.

The Gugel-Fredericks indictment formally charges that the two police officers "under color of the law . . . did willfully subject Bailey to the deprivation of the rights, privileges, and immunities secured to him by the Constitution and laws of the United States . . . incarcerated him in Newport City Jail and thereby deprived him of his right to be free and go unmolested upon the streets and business places of Newport.

Could Get Year In Jail

Conviction for this offense is a fine of not more than $1,000 or not more than a year in jail, or both.

The grand jury said it had called attention of Newport law-enforcing officials to their duties to suppress gambling in its interim report of June 30 "in the hope that some of them might be induced to act in view of . . . the statutes of Kentucky.

"We have not learned of any City police officer or County police officer attempting to suppress gambling other than a raid on the Schmidt Playtorium, in Newport, conducted on July 1, in which Detective Thiem deputized a number of people from Louisville to assist.

Says Schmidt Called Police

"This Schmidt Playtorium, a notorious gambling outfit which had enjoyed the laxity of the officers and officials for a number of years, was entered by the posse, at which time they were met inside the playtorium by Chief of Detectives Fredericks, Police Officer Ciafardini, and Patrolman White, who had been called in by Pete Schmidt after

news of the raid had been let out by one of the men from Louisville.

"The chief of police, who arrived a few minutes later, did not assist the raiding party. On the contrary, it appears that an argument ensued between the raiding party and the Newport officers, which resulted in the arrest of the attorney for the gambling house, Charles Lester, and also the arrest of members of the raiding posse.

Had Right To Be There

"Chief Gugel became incensed at a Louisville newspaper photographer who was taking pictures of the scenes at the raid and also a picture of the chief engaging in conversation with Peter Schmidt.

"The chief arrested the photographer for taking the pictures, but confiscated his camera and destroyed his film. The photographer, who was at a place where he had a right to be, a public place, and was committing no violation of the law, spent several hours in jail while awaiting bail.

"We naturally inquire of the police chief and the chief of detectives of Newport whether:

"1. Should they not have assisted in the suppression of gambling which they found to have been carried on at this place?

"2 Should they have interfered with the investigation being made by Detective Thiem?

Angered by Raid?

"3. Did they become angry because the raid was being made?

"4. Then why summarily arrest George Bailey, the photographer who was doing nothing but taking pictures to better inform the public and the special grand jury then in session in the State court at Newport?"

The grand jury had this to say about the results of the raid:

"Detective Thiem stands charged with breach of peace (and) of disorderly conduct, brought by the City of Newport. He has been suspended as a police officer for attempting to do this duty.

"The proprietor of the gambling establishment, Pete Schmidt, gets his punishment for operating the place reduced from a penitentiary sentence to a fine of $200, although prosecuted personally by the Commonwealth's Attorney."

Guilty of Lesser Crime

The jury said Commonwealth's Attorney William Wise explained to them that Pete Schmidt was convicted of the lesser degree of the crime, that of suffering gaming on premises occupied by him.

"We failed to follow this devious construction of the statutes of Kentucky, but from a layman's point of view we fail to see that Section 436.240 is a lesser degree of the crime denounced in Section 436.230. They are separate and distinct offenses."

(K.R.S. 436.230 provides punishment of not less than a year nor more than three years for setting up, keeping or managing, operating or conducting, or assisting in so doing of a machine or contrivance used in betting, or a game of cards of craps. Conviction for this offense carries disqualification from holding office in the state and from voting.

Sets Fine of $250 to $500

(K.R.S. 436.240 provides fines of $250 to $500 for anyone convicted of permitting the setting up of a game or contrivance on any premises under his control.)

The jury said that after its interim report June 30, certain civic clubs in Newport and Campbell County called attention of Governor Wetherby to conditions and asked him to declare a state of emergency in Campbell County so that State police and other State officers could be sent in to clean up conditions.

It commended Commonwealth's Attorney Wise for conferring about the situation with the Governor at Frankfort.

Cleanup Drive Started

"As a result of his conference a special grand jury was called into session and a cleanup drive started by the Commonwealth's attorney. Agents of the Alcoholic Beverage Control Board had found evidence of violations of State laws by persons holding licenses to sell intoxicating liquors. These were reported to the Commonwealth's attorney.

"It was decided to raid the 200 Bar and the 316 Club, which are houses of prostitution as well as gambling establishments. These raids were conducted by the Commonwealth's attorney, assisted by local police officers, and they were accompanied by agents of the State A.B.C. board.

Gambling-Only Spots Unhit

"No raids were made on places devoted exclusively to gambling, although information had been given of violations of State laws by some of the larger establishments, particularly the Yorkshire Club, the Flamingo Club, the Merchant's Club, Latin Quarter, the Adobe Club, and the Avenue Cafe at Bellevue, Ky.

"These clubs were not raided, but the evidence gathered by the State agency was submitted to the special State grand jury and indictments returned against them. These cases were shortly thereafter tried, and on July 20, fines against all of these larger establishments were imposed in the sum of $200 and costs.

Doubts Justice Is Equal

"Such enforcement of the law cannot but give the impression that justice is not meted out equally to the rich and poor alike. The little fellows are given jail sentences, as instances the cases against the 200 Bar and 316 Club, whereas syndicated criminals of the millionaire class are turned loose with a token fine."

The jury said it learns that gambling activities in Campbell County are now at a minimum, with some places claiming to be closed down because their liquor licenses have been revoked by the A.B.C. Board.

Mentions Probe Threat

The jury said it believes some of this curtailment may be due to the threat imposed by its investigation and that of the special Campbell County jury.

"However, we believe that when the heat is off, these establishments will be going at full blast. The action of grand juries, petit juries, and officers in raiding, prosecuting, and convicting, do not appear to permanently affect the continuance of these law violations.

"After all," declared the jury, "the permanent stamping out of crime is left to the action of the local people in the community in co-operation with the officers of the law who desire to do their duty. There must be a combination of both for successful law enforcement."

Says Fines Not Deterrent

The jury said it was its opinion "that minor suspensions of liquor licenses given by the A.B.C. Board with the alternative of paying a small fine have proved to be no real deterrent."

It recommended that the A.B.C. Board consider permanent revocation of the licenses "of these known long-time offenders."

The grand jury again called attention of the Commonwealth's attorney to the fact that 21 persons in Campbell County hold federal wagering-tax stamps. It said agents of the Federal Revenue Department will furnish up-to-date lists of these people to the State grand jury.

Urges Others To Act

"This evidence," the grand jury noted, "is enough to make a prima facie case for violating the laws of Kentucky relating to gambling.

"We again call upon the Governor of Kentucky and all the State agencies for law enforcement, as well as the Kentucky Bar Association, to interest themselves in helping the good citizens of Campbell County rid themselves of the lawless element in their midst."

New Foundation For Brotherhood To Underwrite Civil Rights Fight

NEW YORK—A new national organization has been established to further interracial goodwill and understanding, but primarily to ease the financial burden of those groups actively engaged in the campaign to bring civil rights to all Americans.

The National Foundation for Brotherhood, Inc., a non-profit corporation, will be headed by Edward R. Dudley, former Ambassador to the Republic of Liberia, as president.

The executive director, Ernest E. Johnson, is a veteran newspaperman and former public relations counsel.

A panel of distinguished Negro and white citizens representing diverse fields of interest comprise the board of directors.

Temporary offices are located at 369 Lexington ave., New York.

According to Dudley, the foundation will aid civil rights organizations with funds derived from what he called a "unique method of underwriting programs for social and interracial advancement." The foundation is qualified to receive gifts and bequests from private sources, he explained, but added that it will probably acquire most of its funds through the new method which he described in this way

Suppose a manufacturer or merchandiser decides to enter the so-called $15 billion Negro market with a line of goods and wants a competitive advantage.

After achieving an understanding with the foundation regarding standards, he would be permitted to use the symbol of the foundation in his marketing campaign. The symbol is a pair of scales of justice below which are the initials "N.F.B."

This symbol would signify to purchasers that a royalty on the particular item bearing it is being paid to the foundation for that privilege—and that these royalties are going exclusively into the fight for civil rights under the direction of a responsible board of directors.

The former envoy declared that the task of translating the American idea of democracy into a reality "is a costly proposition" and cited as evidence the aggregate 1953 budgets for six major private organizations fighting racial and religious discrimination which amount to nearly $7,000,000.

They are the NAACP, National Urban league, American Jewish congress, American Jewish committee, Anti-Defamation League of B'nai B'rith and the National Conference of Christians and Jews.

The new group will avoid propaganda and lobbying activities and the estate as living quarters and where possible will work through established organizations.

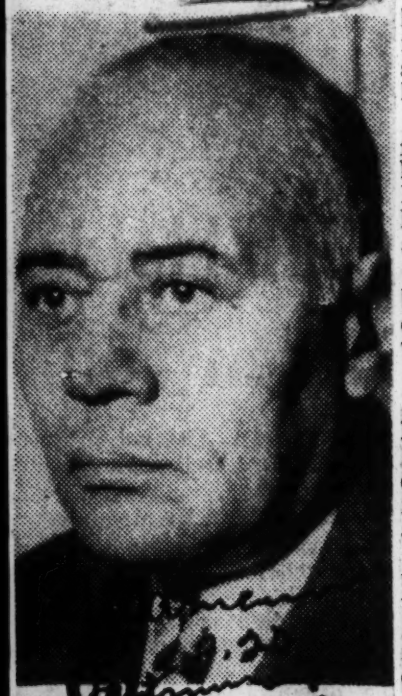
The group will strive for better job opportunities, initiate scientific studies to determine the impacts of racial prejudice and discrimination and government and private officials in resolving these problems and generally seek to create a healthier climate of race relations.

Serving with Dudley as directors are Justice William Hastie, now of the Third Federal Circuit Court of Appeals; Justice Francis E. Rivers, City Court of New York; Dr. P. M. H. Savory, president of Victory Mutual Life Insurance company; Dr. Arthur C. Logan; William R. Hudgins, president of Carver Federal Savings and Loan association of New York; executive; Dr. Kenneth B. Clark, Miss Lena Horne; Atty. Andrew D. Weinberger; Miss Rose Morgan, co-owner of the Rose-Meta House of Beauty; Alfred W. Tucker, attorner and partner in the accounting firm of Lucas and Tucker; Dr. Oren W. Riley; Mrs. Charles Buchanan, civic and social leader; Alfred Baker Lewis, insurance

P. 2

Charles Houston's Work Is Lauded

Memorial Services Held For Civil Rights Leader



DR. CHARLES H. HOUSTON

WASHINGTON

The late Charles H. Houston great civil rights attorney, was a "Social engineer, believing that law was a weapon for shaping society," George M. Johnson said, April 19 at Lincoln Temple Congregational church.

Dr. Johnson, dean of Howard University's law school, spoke during the memorial services for Mr. Houston at the local branch of the NAACP meeting.

Addressing close to 100 persons attending the two- hour services, Doctor Johnson lauded the deceased for his contribution in "our fight to live the democratic way of life." He said:

Unusual Leader

"The late Charles H. Houston has made a contribution to the democratic way of life in this country that may not be appreciated by this generation.

'He was an unusual student and leader, graduating from Amherst with Phi Beta Kappa honors. He later was graduated from Harvard and the University of Madrid, earning highest honors.

"The late leader could have folllowed a lucrative practice for he wasn't just another lawyer. He was a social engineer, believing that law was a weapon for shaping society.

"He dedicated his scintillating brilliance and his indefatigable energy toward eradicating the wrongs of man."

Built Hu Law School

Dr. Johnson said that Mr. Houston made Howard University's law school what it is today, a highly regarded accredited institution. Mr. Houston was at Howard from 1929 to 1934.

From 1935 to 1940, he was special counsel for the NAACP, and was the dominatnt spirit of that group Dr. Johnson said. Then from 1940 to the time of his death, he fought for the removal of inequalities in our economic life. He won important victories over t her .ar olfnd ies over the railroad.

"Let us eulogize him," Dr. Johnson concluded.

Mrs. Henrietta Houston, wife, and Charles H. Houston Jr., son, of the deceased sat on the platform during the services. Also on the platform was the late attorney's father, William L. Houston.

Recorded Speech Heard

A feature of the program was the playing of a 40-minute recorded speech by the late Mr. Houston, who discussed the implications of the Scottsboro case in terms of the current civil rights drive.

At the outset, the deceased paid tribute to his wife for her part in stimulating him in the fight for civil rights.

Regarding the Scottsboro case, the legal victory didn't depend upon the lawyers' maneuvering, the late Mr. Houston said.

Significance Of Case

It depended upon the masses own hands, and learning how to wield it, he asserted. He added that the most significant thing to come out of the Scottsboro case was the protest meeting held abroad.

He mention Amsterdam, Holland where pictures of the Scottsboro defenders were shown. Mr. Houston presented one picture which he brought back to Dr. Edward Mazique, along with the record. Both were made public for the first time.

In the conclusion of his speech, Mr. Houston said that "Colored people must grow with freedom. It is necessary to intensofy our struggle for education because the time may come when the group may be de -pendent on itself, and should be ready."

Other Participants

Other participants on the program were: the Rev. Colbert H. Pearson, pastor of Berean Baptist Church; Eugene Davidson president of the D.C. branch of the NAACP; Bryon Allen, vice president; Arthur O. Waller, campaign director; Miss Gertrude Gorman, field secretary from New Yok City; and the First Baptist Church choir, directed by William Goins Jr.

The Rev. Claude G. Young pastor of Lincoln Temple, gave the invocation.

Mr. Davidson told his listeners that the NAACP is waging a fight in which its members are mere guinea pigs in the battle for democracy.

Tells Of NAACP'S Progress

Mr. Allen spoke in the NAACP's progress in the past four months since the election of the present slate of officers. He said there is evidence of more cooperation and greater participation.

He mentioned the work of the various committees and outlined the group's six-point program. It includes a campaign to get (1) a colored commissioner, (2, FEPC in the District Government,) (4 President Eisenhower to eliminate segregation in the District, (5) groups of the various committees set up in the District, (6) the Southwest Redevelopment plan clarified, relative to the segregation issue.

Membership Goal, 10,000

Mr. Waller said that the NAACP's membership drive will end on May 1. The goal is 10,000 in the District.

He said that the group's greatest problem is to get enough volunteers to help in contacting thousands of persons who have not renewed their memberships.

Miss Gorman gave a pep talk following Mr. Waller's speech, and urged the members present to help in the drive to recruit a bigger membership this year.

NEGRO'S OUSTER HELD VIOLATION OF RIGHTS

Attorney General Rules Or Woman Sent From Indiana

SHE SOUGHT WELFARE

By KEN JOHNSON

From The Commercial Appeal
Little Rock Bureau

LITTLE ROCK, April 30.—The attorney general's office ruled here Thursday that an Indiana justice of the peace who forced an Arkansas Negro woman to leave that state violated her rights as a citizen of the United States.

It was the latest development in an incident which has stirred welfare commissioner Alfred J. Moss here to lodge formal protests with Federal welfare officials in the case of Ruth Lacy, 22-year-old Negro widow who was forcefully deported from Wort Wayne where she had appealed for welfare air in Indiana.

Husband Had Died

Expecting a child, the woman—now living with her father in Lafayette County—appealed for Indiana aid after her husband died. Both had moved to Indiana from Arkansas in 1952.

The opinion, written by Asst. Atty. Gen. James L. Sloan, took a sharp slap at the justice of the peace who ordered a Fort Wayne constable to bring the woman back to Arkansas.

The opinion sai dthat apparently the justice of the peace, Emery E. Stults of Wayne township of Allen County, Ind., ordered her out of that state to keep Indiana from having to give her welfare aid.

Mr. Moss said he intends to send the official ruling to Federal welfare authorities at Dallas, to whom he has already referred the case.

Mr. Sloan cited the 14th Amendment to the United States Constitution as protecting the Negro mother-to-be from the action of authorities in forcing her back to Arkansas against her will. He also cited United States Supreme Court decisions which have upheld the rights of all citizens to travel to and live where they wish so long as they are law-abiding.

The opinion said "this privilege may not be denied to a citizen of this country merely upon the ground of poverty or that he is a public charge and a burden upon the community."

The opinion noted that Indiana has a statute which authorizes the deportation of persons "if it is ascertained that the applicant does not have legal settlement within the State of Indiana but has a legal residence in some other state or country."

She Refused To Leave

It was also noted that when the woman refused to leave Indiana because of her pregnancy, Indiana authorities obtained a physician to refute her claim that she was unable to travel because she was expecting a baby.

Despite the Indiana state law, wrote the attorney general office, the Federal Constitution still should prevail in the matter.

"Under principles announced by our Supreme Court, a state is utterly without power under the fundamental law to deny the privilege of living where he will to any person who is a citizen of the United States," said the opinion.

"It makes no difference that such person has or has not a place of legal settlement in that state. It makes no difference that such person is or is not a resident or domiciliary of that state.

"The facts, as stated, indicate that Ruth Lacy at the time of her deportation a resident of the State of Indiana, and in fact she had resided there continuously since August of 1951 . . . Not only was this treatment of Ruth Lacy an abridgment of a privilege guaranteed to her by the 14th Amendment to the United States Constitution, but it was an infringement upon her liberty, the free enjoyment of which is guaranteed to her by that same provisions.

"I further believed that this action of the State of Indiana constituted an unreasonable and arbitrary denial to her of the equal protection of the laws guaranteed to her also by the 14th Amendment," wrote Mr. Sloan.

The opinion concluded that ever since Reconstruction days, the State of Arkansas has provided for the people living within its borders, "whether natives of Arkansas or not."

IOWA WOMAN SUES NITERY FOR CIVIL RIGHTS VIOLATION

DES MOINES, Iowa — Mrs. John Amos has filed a $10,000 damage action in Federal Court against Prom, Inc., and the Surf Ballroom at Clear Lake, Iowa, for alleged refusal to admit her to the Surf in late 1951.

Mrs. Amos of Mason City, Iowa, charges she was denied admission to the ballroom "solely because of being a Negro." She asks $3,000 for "inconvenience, humiliation, embarrassment and mental anguish," and $7,000 exemplary damages.

The action charges the management of the Surf violated the civil rights provision of the code of Iowa.

JUDGE GRANTS ATTORNEY NEW TRIAL IN CIVIL RIGHTS CASE

HOT SPRINGS, ARK.— (ANP)— Because judge erred in instructions given to a jury, a Los Angeles attorney has been granted a new trial in his suit charging violation of civil rights.

Judge John E. Miller granted the new trial after admitting that he erred in instructions to the jury which subsequently denied Spears damages.

The litigation was the outgrowth of charges by Spears that he was forced to give up a seat on a bus here. In his suit he asked $105,000 from Arkansas Motor Coaches, Inc. Transcontinental Bus System and Santa Fe Transportation Company.

Spears said he was forced to move from the front of a bus to a rear seat as he traveled through here enroute from California to New Orleans in December, 1952.

The jury denied Spears damages and attorney asked for a new trial. Earlier, Judge Miller had dismissed the case against Transcontinental and Santa Fe. The jurist had supported Spears' claim to damages and had instructed the jury to return a favorable verdict. However, it was the wording of his instructions to the jury that Judge Miller erred.

In granting the new trial, Judge Miller said the jury's verdict was "contrary to law, if not, in fact, contrary to the specific instructions given by the court."

The judge had told the jury that the plaintiff's civil rights were violated and asked that it return a verdict in favor of the plaintiff and that it assess damages, "if any" in such a man a sum as would reasonably compensate Spears for the the humiliation and disagree he had suffered, "if any."

"The instruction given by the court is inherently erroneous," Judge Miller said, "because of the words 'if any.' By including those words, the jury construed the instructions to mean that the plaintiff was entitled to recover only if actual damage was proven.

"At least nominal damages are recoverable wherever there has been a breach of a legal duty or the invasion of a legal right although no actual damage results are shown by testimony," he said.

NAACP, Jewish Congress 82nd Congress Draws Censure for Opposition to FEPC

NEW YORK—Although the 1952 Presidential campaign focused the nation's attention on the problems of civil rights, little was accomplished by the Federal or state Governments during the year to reduce inequality, and mob violence against minority group members continued to increase, according to a survey released by the American Jewish Congress and the NAACP.

Entitled "Civil Rights in the United States—1952: A Balance Sheet of Group Relations," the 151-page report is the fifth in an annual series assessing developments during the past year in fourteen major areas of national life in which civil rights is an issue.

The report assails the Eighty-second Congress for having adjourned with a record that demonstrated "not mere indifference but active opposition to racial and religious equality."

* * *

CONGRESS IN 1952, it declares, "failed to enact fair employment, anti-lynching, anti-poll tax or any other civil rights legislation."

"It failed to extend statehood to Alaska and Hawaii, or self-government to the District of Columbia.

"It failed to curb the filibuster or other procedural barriers that have thwarated majority rule. Finally, in its long-awaited revision of the immigration and naturalization laws, it ended one inequity —the barrier to immigration and naturalization of Japanese and other Asian groups—but, at the same time, it retained many others and introduced new inequities."

Failure to make progress in reducing inequalities was also charged to the executive branch of the Federal Government.

Aside from the continuing drive to reduce segregation in the armed forces, the report asserts that in the two areas where its powers to reduce discrimination are unquestioned — employment under government contracts and Federal housing—the executive department "showed little initiative."

* * *

AN OUTSTANDING development in 1952, the report declares, was the increase of more than 50 per cent in the number of Southern Negroes who defied intimidation and outright violence to vote in the Presidential election.

Some 1,100,000 to 1,350,000 Negroes voted in the South last year, compared with approximately 750,000 in 1948, the survey reports.

Summarizing the highlights in 1952 of developments respecting civil rights in each of the major areas discussed, the report reveals the following:

MOB VIOLENCE, LAWLESSNESS AND LAW ENFORCEMENT

There were at least ten bombings and well over thirty acts of vandalism causing substantial destruction of property during the year.

"The bomb as a form of terror has come into increased use as a direct result of the suppression of lynching." No deaths due to lynching were reported in 1952, and bombing "has great attractions for those who find themselves forced to do in secret what the lynch mob used to do openly."

Most incidents of violence took place in the South or border states, and were directed against Negroes seeking equality in the right to vote or to own a home.

Incients of violence against Puerto Ricans in New York, against Jewish and Catholic places of worship in Philadelphia, against Catholics in California and against Jewish property in various parts of the country also occurred.

At least sixteen Negroes were known to have been killed while in official custody last year, and forty-five others were severely injured throughout the country, on the basis of what is certainly incomplete reporting.

Effective action against police misconduct has been lacking.

Virginia became the fifth Southern state to enact anti-mask and anti-cross-burning legislation directed against the Ku Klux Klan, and in North Carolina sixty-nine Klan members were convicted on flogging and assault charges by State and Federal courts.

EDUCATION

A decision of the Supreme Court, due this year on five cases argued last December, will directly affect the lives of more than 12,000,000 school pupils in the District of Columbia, in seventeen states where discrimination is mandatory, and in four where it is a matter of local option.

The cases challenge the constitutionality of public school discrimination in the District and in four states.

Segregation was abandoned during 1952 in a number of elementary and high schools in Arizona, Illinois, Kansas, New Jersey, New Mexico, Ohio and Pennsylvania.

Limited progress was made in opening the facilities of public universities in the South to Negroes—notably in Arkansas, Oklahoma, Texas, Louisiana, Maryland and Tennessee—but there appeared to be little abatement of discrimination against Jews and Italians in the large private colleges and medical schools of the Northeast.

HOUSING

In contrast to education, housing remains "the strongest and most tenaciously defended bulwark of racism in the country," declares the report, due in large part to "interlocking financial interests and potent emotional factors which make the pattern of discrimination particularly difficult to change in established housing and almost equally difficult to avoid in new housing."

Although racial discrimination in housing operated by Federal, state or local governments is unconstitutional, the survey reports that segregation is still tolerated under the "separate but equal" doctrine.

The states of Rhode Island and Michigan and the city of Cleveland took action against discrimination in public housing.

EMPLOYMENT AND BUSINESS

In 1952, a fair employment bill was defeated by one vote in the Michigan Legislature, but city ordinances were adopted in Pittsburgh; Girard and Lorraine, Ohio; River Rouge and Pontiac, Mich., and East Chicago, Inc.

IMMIGRATION AND NATURALIZATION

Passage of the McCarran-Walter Immigration Act, which retained the national origins quota system, allotted quotas to Asian immigrants on a racist basis and curbed immigration of Negroes from the British West Indies, and which was passed after its advocates had made frankly racist speeches in the Congress, "must be regarded as one of the strongest manifestations of hostility toward minorities that we have seen in a generation."

SUFFRAGE, ELECTIONS AND PUBLIC OFFICE

Despite the fact that the 1952 Presidential vote of Southern Negroes was the largest in history, it was "still far short of its potential," because "many Negroes were discouraged from voting by discriminatory administration of registration procedures and by out-right intimidation."

ARMED FORCES

"By the end of 1952, segregation had been almost entirely elimnated from those parts of our armed forces who were in contact with the rest of the world."

GROUP DEFAMATION

Hate groups were active in connection with the Presidential election campaigns, and a large amount of anti-Semitic literature appeared in several states, directed against General Eisenhower and most of it supporting General MacArthur. The influence of the extremist groups was negligible: the Christian Nationalists and similar parties received a total of 17,206 votes in the entire country.

Progress Noted On Civil Rights

Efforts to protect the civil rights of minorities have met with increasing success throughout the Nation during the year, City Solicitor Abraham L. Freedman reported yesterday.

He noted progress in the course of a 25-page report written for delivery at the annual conference of the National Institute of Municipal Law Officers in Washington. Freedman was unable to attend, but his paper, written as chairman of the civil liberties committee of the organization, was read for him.

"In the field of racial and religious discrimination, the trend continues toward outlawing and eliminating such segregation and discrimination," Freedman's report stated. "The courts have increasingly recognized that racial and religious discriminations are inconsistent with the democratic objective of our government to treat all persons alike regardless of their racial, religious or nationality backgrounds. The extent to which these objectives will find expression in our Federal constitutional law in the near future, will in all probability depend upon the outcome of the cases now pending before the Supreme Court, involving racial segregation in education.

"In the field of freedom of expression in the religious area, the courts have generally continued to protect the right to worship and have struck down attempts at governmental interference in the activities of religious organizations. The more difficult problems remaining are those involving separation of church and state."

10 1953

Survey Shows Civil Rights Laws Stymied

New York (ANP)—Progress in the enactment of civil rights laws met with stiff opposition in most state legislatures during he 1953 sessions recently concluded.

According to a survey conducted by the American Jewish Congress, only 23 laws pertaining to civil rights were passed by state legislatures this year. And only a few of these are significant. The AJC's Commission on Law and Social Action describes this crop as disappointing.

Proponents of civil rights legislation suffered their sorest defeat in state campaigns for FEPC" according to Will Maslow, director of the Commission on Law and Social Action.

Among those states which passed relatively significant legislation were Oregon, Florida, North Carolina, Iowa, Washington, Carolina, Massachusetts, Michigan and Connecticut.

Legislation passed did not apply to Negroes alone; it aided Jewish persons, Catholics and other minorities. A rundown on civil rights legislation passed showed this:

Oregon enacted a law forbidding racial or religious discrimination by hotels, restaurants and other places of public accommodation.

Florida, the scene of a series of bombings in 1951 directed against a Negro housing project, Carver Village, synagogues and Catholic church, moved to cope with this by enacting a law regulating the sale and possession of dynamite and other explosives.

North Carolina also enacted a similar statute. The Tar Heel state went further and passed a law aimed at the Ku Klux Klan forbidding the wearing of masks and the burning of crosses for the purpose of intimidation. The law also required secret societies to register.

The Iowa legislature passed a law outlawing racial or religious discrimination by non-sectarian cemeteries. Refusal of a Sioux City private cemetery to bury a Korean War veteran who was an Indian prompted the passing of this law.

American Indians and Asians were direct beneficiaries of the civil rights laws enacted in California, Montana and New Mexico. These states wiped off the statute books obsolete measures forbidding the sale of alchoholic beveragas to American Indians. (A federal law containing the same prohibition was repealed by the U.S. Congress in the session recently adjourned).

Californians will vote at the net election on a constitutional amendment to eliminate disabilities now in force against alien Asians.

The Michigan legislature enacted a statute that would permit voting by absentee ballot whenever a state election falls on a Jewish holiday.

Connecticut, Massachusetts and Washington moved to strengthen existing public accommodation statutes by extending their scope. The legislaors were motivated by discrimination practiced by some hotels and resorts against Negroes and Jews.

Efforts to enact similar laws in the resort states of New Hampshire and Maine failed. Six other state legislatures—those of Arizona, Indiana, Montana, Nevada, West Virginia and New Mexico—defeated similar bills.

The only FEPC legislation resulting from efforts in some 17 states was an "educational measure" adopted by Kansas. This measure has been described as weak. On the other hand, Alaska, a territory, passed a strong FEPC

Efforts to cope with the problem of discrimination and segregation by educational institutions were equally unsuccessful, Maslow's report pointed out.

Bills aimed at eliminating discrimination failed in Missouri, New Mexico and Connecticut.

The problem of reducing racial or religious discrimination by private landlords also was no nearer solution, the report said.

The report covered the activities of some 44 state legislatures which met in 1953. It will be 1955 before most state lawmaking bodies meet again.

Organization To Raise Funds For Civil Rights

NEW YORK — (ANP) — A new organization made its debut here last week. It is the National Foundation for Brotherhood, Inc., which has a two-fold purpose.

Primarily it will give financial aid to organizations actively engaged in a campaign for civil rights for all Americans. And secondly, it will attempt to further interracial goodwill and understanding.

Named president of the group was Edward R. Dudley, former U. S. Ambassador to the Republic of Liberia. The executive director will be Ernest E. Johnson, former newspaperman. A panel of Negro and white citizens, representing diverse fields, comprise the board of directors.

According to Dudley, the foundation will aid civil rights organizations with funds derived from what he called a "unque method of underwriting programs for social and interracial advancement."

The foundation is qualified to receive gifts and bequests from private sources, he explained. However, he added the group probably will acquire its funds through the new method he described in this way:

Suppose a manufacturer or merchandiser decides to enter the so-called $15 billion Negro market with a line of goods and wants competitive advantage. After achieving an understanding with the Federation regarding standards, he would be permitted to use the symbol of the Foundation in his marketing campaign. The symbol is a pair of scales of justice below which are the initials "N. F. D." This symbol would signify to purchasers that a royalty on the particular item bearing it is being paid to the Foundation for that privilege and that these royalties are going exclusively into the fight for civil rights under the direction of a responsible board of directors.

Serving with Dudley as directors are Justice William H. Hastie, now of the Third Federal Circuit Court of Appeals; Justice Francis E. Rivers, City Court of New York; Dr P. M. H. Savory, president of Victory Mutual Life Insurance Company; Dr Arthur S. Logan, William R. Hudgins, president of Carver Federal Savings and Loan Association of New York;

Miss Lena Oorne; Atty. Andrew D. Weinberger, Miss Rose Morgan, co-owner of the Rose-Meta Oouse of Beauty; Alfred W. Tucker, Dr. Oren W. Riley;

Mrs. Charles Buchanan, civic and social leader; Alfred Baker Lewis, insurance executive; Dr. Kenneth B. Clark, associate professor of psychology, College of the City of New York; and Miss Dorothy Height, president of the Delta Sigma Theta sorority.

Dudley said that a national sponsoring committee is being prepared and will be announced as soon as it is completed.

THE MOVING FINGER

MRS. MYRA J. BRYANT

EDITOR'S NOTE: This survey of trade unions and their work in the fight for civil rights is being used in ths space today.)

NEW YORK, N. Y.—"The cause of civil rights is gaining throughout the United States largely because of staunch support received from the AFL, CIO and Independent Unions," a Labor Day survey conducted by the Anti-Discrimination Department of the Jewish Labor Committee through its 18 field offices in the United States and Canada revealed.

The survey was issued by the Anti-Discrimination Department of the JLC of which Charles S. Zimmerman, Vice President of the International Ladies' Garment Workers' Union is the Chairman Emanuel Muuravchik is National Field. Director. Adloph. Held. is Chairman of the JLC, which represents more than. 500,000 Jewish trade unionists in. the. AFL and CIO.

The survey of labor participation campaigns during the past year indicated that "Legislation designed to repeal the poll tax in Alabama, the FEPC law in Alaska, the strengthening of the public accommodations law in Connecticut, the strengthening of the Indiana F. E. P. C law, the Minnesota law prohibiting race restrictions in real estate deeds, New York State laws prohibiting the acceptance of endowments to teach white supremacy in State schools, the outlawing of the Klu Klux Klan, in North Carolina, the passage of public accommodations law forbidding racial or religious discrimination in Oregon and Washington, as well as the creation of a Governor's Commission on Human Relations in Wisconsin, were among the legislative acts that had strong combined labor support"

The JLC report also stated that: "The participation by the AFL and CIO in the recently activated President's Commission on Government Contracts is indicative of the firm desire on the part of organized labor to remove the scourge of discrimination from the national scene.

It is equally significant that in the endeavors to achieve a National F E. bers designed to eliminate the roots

'Local hate groups have been reduced in community influence as a result of the active participation by labor organizations on the local level. Trade unions have encouraged the establishment of in-plant institutes and courses for their membres designed to eliminate the roots or racial and religious prejudice.

'It his been increasingly evident,' the JLC survey concluded, 'that as a result of these endeavors, discriminatory practices have been reduced, minimized or completely eliminated. The goal is complete elimination everywhere. It is encouraging that both in its own house, and on the community level, the organized labor movement is making bold strides to crush racial and religious discrimination as the keystone in building economic democracy."

Lawyers Urge 9 States To Enact Civil Rights Laws; Elect Flowers

NEW ORLEANS—The National Bar association, meeting here recently, adopted a resolution calling upon and urging the governors of nine western states to call special sessions of their respective legislatures for the purpose of enacting civil rights laws prohibiting discrimination.

The resolution hits at bias directed at citizens because of race, color, religion or national origin in places of public accommodation.

Nine states named were Arizona, Mexico, North and South Dakota, and Wyoming. These states, the group said, lack basic civil rights statutes guaranteeing legal protection to all persons.

It was pointed out that the legislature of these nine states do not meet unil January or February, 1955, and that unless special sessions are called before those dates the practice of discrimination will become more rigid and deeply rooted and therefore more difficult to correct.

The resolution was sponsored by the Committee on Human Rights for the Western States of the NBA.

The committee report which recommended the adoption of the resolution was presented at the New Orleans convention by Miss Cora T. Walker, New York City, chairman. The report indicated Oregon had enacted a civil rights law which became effective July 21, 1953.

Other members of the committee are Irvin C. Mollison, New York City, vice chairman; Ulysses G. Plummer, jr., Portland, Or., Colo., and Robert E. Bryant, Benton Harbor, Mich.

Atty. Harold Flowers, of Pine Bluff, Ark., was elected president of the association for the coming year.

The Civil Rights Holy-Rollers At Bay

NOT much as been said about civil rights legislation since the Republican administration of Dwight Eisenhower supplanted the Democratic administration. In fact, it has been so long since Southerners had to filibuster that John Jacksonian Sparkman has probably forgotten the filibuster speech he used to make in his Alabama days, long ago.

That the civil rights holy-rolling has greatly diminished in Congress since the Democratic Administration was given the heave-ho is—picking them at random—evidenced by the bleats of such pietistical visionaries as the *St. Louis Post-Dispatch* and the civil rights committee of the American Jewish Congress.

Always it must be understood that there are two civil rights battlefields—Congress and the courts.

The courts are not sensitive to the election returns in the way the White House and Congress are. Pending before the Supreme Court are cases which may demolish the segregation system in our schools and all such public facilities. That ruling will possibly come this winter and, as we were saying, Alabama should brace itself against the possibility of a grave ordeal.

In Congress, however, the going of the Democrats and the coming of Republicans have removed for the time the threat of FEPC legislation such as that espoused by the 1952 Democratic platform and the Democratic nominees. That is the legislation which would have sent federal cops into your place of business to preside over hiring and firing.

★

THIS is not to say that President Eisenhower has a "Southern attitude" towards segregation. He plainly does not share the Southern view. President Eisenhower does not believe in segregation and does not himself practice it.

But, as he made plain in the campaign, he is opposed to sicking federal cops on employers to deprive them of their precious American freedom to indulge their prejudices, however unfortunate.

Second, President Eisenhower has a powerful and consistent respect for states rights. He believes that Washington has become too powerful and that the states should militantly defend their rights. Therefore, as he said in the campaign, he is against an FEPC invasion of states rights.

★

WILL MASLOW, a spokesman for the American Jewish Congress, recently wrote a letter to *The New York Times* rieviewing civil rights progress and complained that the only thing resembling enactment of a civil rights bill was the repeal of a 100-year-old restriction against the sale of liquor or firearms to Indians.

By a vote of 70 to 21, the Senate refused to amend its pro-Southern filibuster rule (which enabled Senator Hill and other Southerners to hold off the Democrats until President Eisenhower arrived to remove the pressure).

The FEPC bill of Republican Senator Ives of New York didn't even get a committee hearing. Neither did another toothless one by Dirksen of Illinois.

Anti-lynching and anti-poll tax bills sank without trace, and as Maslow said, "This record in prior years was much better." Maslow asserted:

> President Eisenhower gave no leadership in any of these legislative efforts. His activities were confined to eliminating segregation in veterans' hospitals, Army posts and Navy shipyards, although it is rumored that he will shortly revive [Truman's] Committee on Government Contract Compliance to enforce anti-discrimination clauses in government contracts [he did].
>
> The legislative crop in the 44 state legislatures that met this year was not more encouraging. Efforts to enact state FEPC laws in the key industrial states of California, Illinois, Indiana, Michigan, Ohio and Pennsylvania failed. Although 20 state civil rights laws were enacted, the only significant measures were an Oregon law forbidding racial or religious discrimination by hotels, restaurants and other places of public accommodation.

★

AND therein we Southerners are entitled to a certain wry satisfaction. In fact, it is no longer correct to speak of "we Southerners" in connection with abhorrence for FEPC laws, for states from California to Pennsylvania have repeatedly rejected these onslaughts on personal freedom.

Insofar as Congress and the states are concerned (though not the courts), the tide seems to have turned against cop FEPCs. It was otherwise in the preceding Democratic administration.

Strange Doings in New Jersey

DR. HAROLD A. LETT of Newark, N. J. is, according to Joseph S. Bicking (who is also a member of the New Jersey State Commission on Civil Rights) the "best qualified by training, experience and ability" to head the unit.

Nevertheless, Governor Alfred A. Driscoll, supposedly a great liberal and friend of the Negro, has appointed Dr. John P. Milligan, an almost unknown person, as director of the Commission, although he has no civil rights record, having been only superintendent of the Atlantic City school system.

It seems that the vote for Dr. Milligan was hurriedly jammed through a thirty-five minute meeting of the Commission of seven members on Sept. 9, called on two hours' notice, with three members absent.

According to Mr. Bicking, the objections of the four members present were overridden and Dr. Milligan was chosen.

Dr. Lett, who has been with the Commission since its inception, was the assistant of the late Dr. Joseph Bustard, and the best qualified to succeed.

Unfortunately for him, it seems, Dr. Lett is a Negro while Dr. Milligan is white, and the selection of the latter seems to have been dictated by political expediency.

Of course, New Jersey's Education Commissioner Frederick Raubinger denies that there was any discrimination in passing Dr. Lett by and selecting Dr. Milligan, but in face of the record his explanation that, "I did what I think was my responsibility—to make an appointment that I thought best for the division," rings mighty hollow.

Regardless of race, color or religion, the Courier believes that merit, ability and sincere devotion to duty should qualify a good public servant for promotion, especially in a state unit with such an important job.

What's going on in New Jersey, anyway? What is the way?

City Sits Pat On Its Rights Bills

Two civil rights bills which have been bottled up in the legislative committee since their introduction 8 months ago, went down to a crushing defeat on a motion to discharge in the St. Louis Board of Aldermen last Friday.

The vote against the measure was 195 with Walter W. Zeigenbalg, 4th Ward Democrat joining the vote of the 19, against the best interest of the civil rights measures. Over 80 percent of Ziegenbalg's 4th Ward is populated by Negroes.

Alderman Sidney R. Redmond, 18th Ward Republican, made the motion to discharge the legislation committee from further consideration of the measures. The proposals were introduced jointly by the board's five Negro members eight months ago.

An aldermanic rule provides that any member can move to discharge a committee from further consideration of a bill after it has had the bill for 30 days wtihout taking necessary action.

Redmond termed the committee's delaying tactics as "just like a filibuster," and charged that many board members did not want to bring the proposed ordinances up for vote.

The measures — Board Bills 118 and 121 — were turned over to the legislation committee, headed by Anton Neimeyer, on June 20. This was one week after they were introduced by Redmond, DeWitte T. Lawson, 19th Ward Democrat, and Ben Oliver, 6th Ward Democrat.

One of the measures would make it illegal to practice discrimination in hotels, theaters and eating establishments. The other is a comprehensive civil rights bill.

Redmond said in December he and Lawson talked to Neimeyer about the measures, and the legislation committee chairman assured him that his group would consider them. However, Redmond pointed out, nothing has been done at any subsequent meetings of the committee.

Members of the legislation committee are Neimeyer, Louis G. Berra, Edgar J. Freely, Raymond A. Egan, Raymond Leisure, Charles P. McBride and Fred J. Haag.

Voting for the proposal to discharge the committee so proper action could be taken on the measures, were Redmond,, Lawson, Oliver, John T. Curry and Clinton T Watson.

Five aldermen were absent during the voting. They were William A. Stolar, Leo McLaughlin, Paul Dobberstein, William C. Brady and Alfred Harris.

An Amazing Deal Against Civil Rights

IT IS AN amazing thing which has been uncovered, with supporting documentary evidence, in New York City, wherein an agreement was made between the U. S. Department of Justice and New York City police relative to the investigation of civil rights violations. Congressman ADAM CLAYTON POWELL JR. of Harlem assails the "deal" and says it would make New York a "city of terror."

Briefly; ex-Assistant Attorney General JAMES M. MCINERNEY last July wrote memoranda to the chief of the Justice Department's civil rights section setting forth an agreement to let New York police investigate complaints received by the FBI (of police brutality and similar offenses) "as an informal experiment" to keep from "lowering morale" in the police force.

Police Commissioner GEORGE P. MONAGHAN of New York City had vigorously denied any such deal. The official disclosures show that he made a false statement and suggest that he had reason to believe the pact to be detrimental to citizenship rights.

It would be bad enough for such a deal to affect the defenseless millions of our greatest city, but MCINERNEY now explains that he thought it "might be a good idea" to extend the policy to other big cities —or, presumably, to any area where it was expedient, politically or otherwise, "to maintain police morale," meaning the right to allow local police officers to molest and beat suspects with absolute impunity.

A case in point occurred in Lynchburg (Va.), last year, when the local police, with city government backing, refused to cooperate with the FBI in an investigation.

The federal civil rights statutes provide protection against bodily violence or denial of constitutional rights. These offenses are often charged against the constituted authorities, not only in New York, but in Georgia, Mississippi, and similar benighted and discriminatory areas by members of minority groups especially.

It has been presumed that the FBI would promptly and effectively ferret out such offenses as federal violations. To permit local police departments, instead, to do the investigating of their own personnel, when involved, does violence to every concept of elementary justice.

To the credit of former Attorney General JAMES MCGRANERY, the entire arrangement was cancelled last January 14th, the day he discovered it. The responsible official, MCINERNEY, has been transferred from the Justice Department's criminal division to the lands division, and published dispatches state that the present Attorney General, HERBERT BROWNELL JR. "is easing him out next week." That is all to the good.

The investigation is continuing. Representative POWELL and other congressmen interested in the matter should keep the pressure on until the whole dirty mess is exposed to the public eye and those guilty of conniving to thwart proper legal procedures ought to be made to pay the penalty. The good faith of the present Republican administration, which has asserted its desire to secure equal justice for all, is at stake.

Sen. Humphrey Asks For Unit On Civil Rights

WASHINGTON, March 5 (AP) — Sen. Humphrey (D-Minn) said today he has urged Atty. Gen. Brownell to set up a special civil rights division headed by an assistant attorney general.

Humphrey made public a letter to Brownell pointing out that Sen. Ives (R-NY) joined with Humphrey in introducing a bill this session to establish such a division in the Justice Department.

The Minnesotan said he was "not particularly interested" in whether the bill becomes law, "or whether the objective can be attained through executive reorganization, or the enactment of a bill introduced by some other member of Congress."

He suggested the department investigate the possibility of carrying out the objectives of the bill through reorganization.

The letter continued:

"If this can be done through executive action so that the present Republican administration receives credit for that action, that will be perfectly satisfactory to me so long as our objective is realized. I am weary of having civil rights remain a political football. I think it is important that we begin making progress in the field."

Filibusters Helped Kill 38 Civil Rights Bills In U.S. Senate

WASHINGTON (ANP) — Of the 38 pieces of legislation defeated in the U.S. senate by filibusters, nine bills were aimed directly at helping colored citizens.

Three anti-lynch bills were "talked to death" the first one in 1922; the second in 1935; the third 1946, fourth, 1948. Two fair employment practices bills were gassed; the first in 1946, the second in 1950.

Civil Rights Charge Brings U.S. Indictment

New York Detective Faces Trial In Beating Of Subway Motorman

WASHINGTON, March 10 (AP) — Atty. Gen. Brownell today announced today that a federal grand jury has indicted a New York police force detective on charges of violating the U. S. civil rights statute.

The indictment, returned at Brooklyn, accuses Detective John A. Brullman of assaulting Francis D. Galatis, a subway motorman, "without adequate cause of provocation." The alleged assault was March 7, 1952, while Brullman was arresting Galatis.

Brownell said it was charged that Detective Brullman assaulted Galatis when the motorman objected to his conduct aboard a subway train.

There has been a recent furore in Congress over an alleged one-time agreement between Justice Department officials and the New York police force that the force itself would at least initially handle investigations of alleged police brutality without the FBI stepping in.

Don't Expect Any Action on Civil Rights in 1953!

It'll Be a Miracle If It Does Happen

By JOHN L. CLARK
(Courier Political Analyst)

WASHINGTON — "Leaks" from the White House have created the impression that ending segregation in Washington, D. C., is first on President Eisenhower's program.

That is not true, never planned that way, and shouldn't be so construed by visitors who have been welcomed to the President's private office and shared his views—in confidence.

Most of the things that Negroes have hoped for, fought for and expect in the Eisenhower Administration are being considered seriously by the new Republican President.

But, before the controversial proposition of lifting Negroes up to first-class citizenship is set for action, the eleven-point program, announced on Feb. 9, must be adopted by both branches of the Eighty-third Congress.

All of this comes from an official close to the White House, who asked not to be quoted.

The information here reported was in answers to the question: "What did President Eisenhower tell Bishop D. Ward Nichols during a conversation which took place in the White House on Feb. 12?"

The answers took this form: "President Eisenhower probably told the Bishop that he would appoint a Negro Commissioner to conduct the affairs of the District of Columbia; but he did not specifically say that he would make this appointment immediately; and did not divulge his plans for wiping out segregation in the District; or how he would approach civil rights, including FEPC, by Federal legislation, or even conciliation or persuasion."

The informant pointed out that if the President was in a frantic hurry to act on the District of Columbia affairs, he could accept the resignation of F. Joseph (Jiggs) Donohue immediately and appoint a Negro in his place.

It is true that the President, in his State of the Union message recommended that the Board of Commissioners of the District of Columbia be increased from three to five.

It is also true that Senator Francis Case, South Dakota Republican, introduced a bill to increase the D. C. membership, explaining that the two additional members would provide for a woman and Negro.

But neither source, the Senator or the White House, has given the impression that these provisions would take precedence over other legislation and considerations.

The President has been guilty of leaning over backwards to welcome into his private chambers and talk with members of the Negro race.

No doubt exists now that he is determined, within his powers, and influence with his narrow-margined Congress, to "keep America from being a second-class country by permitting any of its citizens to be caterogized in the second class."

But his hospitality and confidence have been abused to the point that stricter regulations must be imposed to prevent the champion of "one class for all" to be misunderstood.

As of Feb. 9, the program, agreed to by Senate and House leaders, with anticipated adjournment in June or July, is as follows:

1. **Reorganization of Executive Agencies.**
2. **Appropriation bills—to clear the House by May 15?**
3. **Statehood for Hawaii.**
4. **Taft-Hartley revision.**
5. **Limited extension of essential controls and allocations.**
6. **Ownership of submerged lands—tidal reserves.**
7. **Extension of Reciprocal Trade Agreements.**
8. **Extension of old-age and survivors insurance to cover groups presently excluded.**
10. **Extensions of aid to schools in critical areas.**
11. **Addition of two Commissioners of District of Columbia Government.**

Somewhere in the program will be the Reed Bill to reduce income taxes effective June 30, and cancelling the excess profits tax.

Meanwhile the Republican National Committee is bogged down in appointments of deserving Negroes in tests of qualifications, past records and FBI reports.

If any form of civil rights actions are taken in 1953, it will be a miracle that Republicans never anticipated and difficult to explain.

CIVIL RIGHTS HELD NOW UP TO PEOPLE

Future Progress Will Depend on Community Action, Not Courts, Teachers Hear

Future progress in civil rights will be largely a product of community action rather than court action, John N. Popham, Southern regional correspondent of THE NEW YORK TIMES, declared yesterday.

He said he believed that once the public school segregation suits now before the United States Supreme Court were decided, the "judicial revolution" would be over, and the major task would be "to get the Constitution, as already interpreted, into everyday practice."

Mr. Popham discussed "The Civil Rights Problems Facing the new Administration" at the ninth annual in-service course for teachers presented by THE TIMES and the city Board of Education in the Times auditorium. He was introduced by Orvil E. Dryfoos, assistant to the publisher.

The speaker said that when the segregation suits had been disposed of "most of the basic rights will have been affirmed and spelled out by the courts and the great gap will be that which exists between the defined and articulated law of the land and local practice, particularly in the rural South."

Governors' Parley May Aid

Referring to the plan of the Eisenhower Administration for a conference of Governors to discuss greater implementation of basic civil rights guarantees, Mr. Popham said:

"It may just happen that history, for the moment, is on their side in the sense that community action and implementation are the next major order in bringing about improvements in this field, and for all anyone knows such a conference might come up with a blueprint that works.

"I don't see how we can yet judge what the Administration will do in the field until they take some positive action, but I do think we can just about recognize that they don't have to chart any program to match up with the explosive atmosphere the recent series of civil rights court rulings generated in most instances.

"The law is explicit and well-defined, but the practice is lagging. That will call for community awareness, stiffening of resolve and some sort of positive climate out of Washington that the laws must be implemented 'or else'."

Mr. Poplam said the Administration of President Eisenhower must find a method of maintaining community awareness of its civil rights ideals, the process ofr stiffening the resolve of those who face the problem at the community level and, above all, "some way to make it known that there is an 'or else' factor in their possession."

"Primarily," Mr. Popham continued, "the Eisenhower Administration has to foster the implementation of the recent court decisions, and it may be that a conference is the way to get it started, but just started."

'Cold War' Against Negro

In tracing progress in civil rights, he said that while there was no longer any serious legal dispute about the Negro's right to vote in the South, the Negro still was the victim of a "cold war" waged by balloting registrars and a victim of the apathy and ignorance of his own people.

Much progress had been made in education, he said, and explained that Negroes had been admitted to graduate and professional schools in sixteen state universities, to undergraduate study at seven state and municipal colleges and to one level or another at twenty-eight private colleges.

Mr. Popham aserted that housing now constituted "the most explosive race relations problem in the South," and that while some progress had been achieved, "the over-riding picture is one of severe residential segregation." The employment of Negro policemen and firemen was improving, he said, and the employment of Negro policemen had just about become standard in Southern cities of any size.

The speaker also pointed to progress in de-segregating travel although there still were abuses in intrastate and city transportation. Future success in this area, he said, will vary in proportion to Negro political strength.

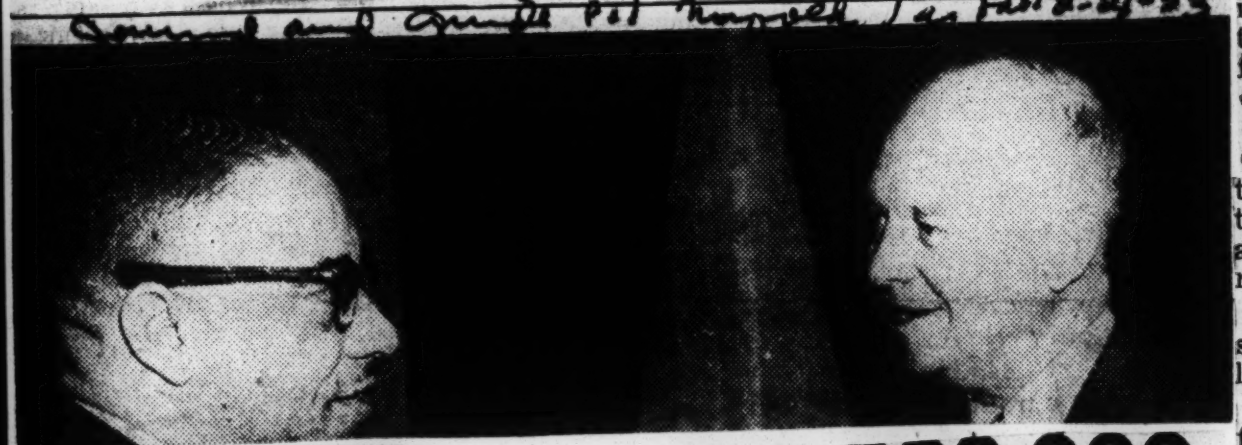
Charles Grutzner of the local news staff of THE NEW YORK TIMES outlined developments in the current investigations into police brutality in the city.

The course will continue on Wednesday afternoons through May 27, except for April 8. The speaker next week will be Anne O'Hare McCormick of THE TIMES editorial staff, who will discuss "United Nations and Collective Security."

White Warns Dems On Issue Of Civil Rights

ROCKY MOUNT, N. C. — Oct. 25 — Unity within the Democratic party at the sacrifice of civil rights may regain the South but will surely lose the Nation, Walter White, executive secretary of the National Association for the Advancement of Colored People, warned here today

Bishop Confers With President



Bishop D. Ward Nichols of the First Episcopal District of the African Methodist Church is shown chatting with President Eisenhower in the latter's office at the White House following a conference last week.

After the conference Bishop Nichols said that he is sure that the President will make good on campaign promises on civil rights. The bishop's territory embraces the New England states, New York, New Jersey, Pennsylvania, Delaware and Bermuda.

Civil Rights Bill Passes In Oregon

Salem, Ore. The Oregon legislature Monday passed a civil rights bill forbidding restaurants, hotels, theaters and other business and amusement places from discriminating against minority racial or religious groups. The house sent the bill to the governor by a 46-11 vote.

$15,000,000 for Civil Rights

THE Ford Foundation which has been tossing fortunes hither and yon for projects both commendable and dubious, has just peeled off fifteen million dollars to set up a Fund for the Republic, with Paul G. Hoffman as chairman.

The purpose of this well-heeled fund is to promote the cause of civil rights in the United States by studying the problems "encountered in the field of civil liberties"; making "a clear statement in contemporary terms of the legacy of American liberty" and proposing "to help restore respectability to individual freedom" while recognizing "the menace of communism and Communist influence in this country."

The tone of its initial statement seems to indicate that it is going to spearhead a counter-offensive against the so-called hysteria, witch-hunting and investigating by which patriotic groups are attempting to combat the nefarious designs of subversives in the educational, labor, artistic and entertainment world.

However that may be, what we are primarily concerned with is the fact that nothing is said by spokesmen for this fund about the biggest civil rights problem in the United States—the Negro problem.

Worse, there was not, at the time of this writing, a single Negro on the committee which will superintend the dispensing of this fortune, although there are many capable colored men and women who have devoted a lifetime to this question and are more expert than Mr. Hoffman and his associates.

Segregation is still with us, discrimination in all of its ramifications is very much present, innumerable handicaps prevent Negroes by virtue of their color from sharing the full measure of citizenship—and these evils are far more dangerous to the future of American civil liberties than so-called witch hunts.

The place of the colored Americans in our society is the true gauge of civil liberties, and until the restrictions placed upon them and the handicaps that burden them are removed, the state of civil liberties will remain parlous.

We don't need any more studies of the state of civil rights in the republic. The libraries are full of them.

What we need now is to utilize this information in a frontal attack—educationally, politically and economically, on the strongholds of bias, discrimination and proscription.

The National Association for the Advancement of Colored People, with forty-four years' experience, knows how to do this, but none of its officials is on the committee.

The National Urban League, with forty-three years' experience, knows how to do this, but the committee does not include any of the league's experienced officials.

Incidentaly, we do not believe that the Ford Foundation has given either of these organizations a nickel, although it is squandering a quarter million dollars on studying the life of some obscure village in India!

We seriously doubt that the deceased Henry Ford who, in addition to being thrifty and practical, was most friendly to Negro labor (which was at first barred from other automobile plants), would approve of such boondoggling with his billions.

The problem of the Twentieth Century is the problem of the color line, and when that is intelligently attacked the greatest danger to our civil liberties is being removed.

We suggest that as one of its first steps in safeguarding civil liberties, the Fund for the Republic turn over at least a million of the fifteen million dollars it has to the NAACP (which knows how to do what the fund is attempting), and comparable amounts to the National Urban League and the United Negro College Fund.

ARKANSAN 'DEPORTED' BY INDIANA OFEICIAL

Unusual Case Investigated By Welfare Department

NOW ASKS STATE HELP

From The Commercial Appeal Little Rock Bureau

LITTLE ROCK, April 22. — The Arkansas Welfare Department decided here Wednesday to make a legal investigation into the "deportation" of a Negro woman from Indiana into Arkansas who is now asking state welfare assistance.

Ivan H. Smith, attorney for the department, said the woman is Ruth Lacy, 22, who was brought back to Arkansas early this month after being ordered to leave Indiana by a justice of the peace in Wayne Township, Allen County, Ind. The woman formerly lived in Lafayette County but left there in 1951.

She Protested

Mr. Smith said it looked as if a "violation of civil rights might be involved." And Welfare Commissioner J. A. Moss said Arkansas wants to know whether Indiana authorities acted within their rights in having the woman sent back to Arkansas against her protests.

Mr. Smith said the woman was brought back to this state by a special constable appointed to see that she left Indiana. He said the orders fo rher deportation show no lawbreaking that the woman was charged with.

The 22-year-old Negro moved to Fort Wayne about a year ago with her husband who died and she then applied for Indiana welfare assistance. Mr. Smith said she was pregnant.

Case "Unusual"

Mr. Moss said he will ask the attorney general's office to rule on the matter to see if Arkansas now must assume the care of the woman. He said apparently "local authorities" at Fort Wayne—rather than the state welfare department of that state—initiated the deportation proceedings.

Several legal spokesmen for the state called the case "very unusual" and said it appeared to reflect a violation of individual freedom guaranteed by the Constitution.

The woman told Arkansas officials she didn't want to leave Indiana because she was pregnant at the time she was ordered to leave.

"I frankly don't know what we'll do with the case, even if the attorney general advises she was illegally deported," said Mr. Moss. "However, we thought the matter was worth investigating."

Indiana has gained a reputation of drastically reducing welfare rolls in recent years.

'Take Your Rights For Granted' Japanese Author Tells Negroes

The views expressed in this column do not necessarily express the editorial opinion of the Louisiana Weekly.

By James Kuip

St. Louis, Mo. (Special).—"A dog used to being kicked walks down the street in such a manner that makes most people want to kick him again, because his very attitude invites it. This," said Dr. S. I. Hayakawa, author, University of Chicago lecturer and editor of the General Semantics Review, "is what is called a self-fulfilling prophecy." Dr. Hayakawa spoke at the 34th annual dinner meeting of the Urban League of St. Louis on: "Psychological Aspects of Being a Negro."

Dr. Hayakawa didn't apologize for his subject because, he said, though he isn't a Negro he is a member of a minority group and has in his time suffered many social rebuffs. He based his talk on semantics, which he defined as "the study of how we form our own attitudes and how these attitudes help create the world we live in." He said that because of the changing times more and more people are coming into contact with Negroes and as a result prejudiced people are on the defensive. Actually, they're apologetic about being prejudiced. This, he said, has given the Negro a tremendous power which he can use rightly or wrongly. It is in his hands to "self-fulfill" the prophecy he chooses for himself.

"The Negro today," Dr. Hayakawa asserted, "can set the tone of any business or social meeting he attends, simply by his attitude. If he acts obsequiously, he'll probably be treated so. If he acts nervous and self-conscious, he'll make everybody else nervous and self-conscious. If he comes expecting to be stepped on, he'll most likely find a good many whites who will obligingly step on him. A bio-chemist who goes to a meeting of bio-chemists will be treated as a bio-chemist, but if he goes as a Negro bio-chemist, he'll be treated as a Negro bio-chemist, and always because of the clues he unconsciously gives."

Dr. Hayakawa told his audience that they must forget about being Negro and act naturally. "But some people ask me, 'How can we forget about being Negro when the whites remind us by their Jim Crow barriers?' Well, first of all we have to forget about 'race relations' and think of ourselves for a change. One student of mine in an essay explained it when he said he was tired of being a symbol for a whole race. 'I just want to be me,' he said. 'But how can I if they won't let me?' Well, I told him, and I tell you, that whites would be glad to let you be yourselves if you will only teach them how.

Well-Meant Irritation

"Instead of asserting his equality, the Negro ought to take his rights for granted, and this would help him to act naturally. My student in his essay was resentful of what he called 'Well-meant but irritating remarks' from whites, such as: 'I've always felt a deep sympathy toward your people,' and such like. Well, this is trivia and we shouldn't worry about it. Accept it as it's generally offered, well-meant. And don't expect too much from whites. Go along, expecting four out of five to reject you, and one day you'll be delighted to find that the ratio is only three out of five."

Dr. Hayakawa said that preoccupation with trivia is a wasteful expense of emotional energies which tends to limit one's perspectives to the Negro world alone. "That is a Jim Crow of the mind and I wonder if it is slowing the removal of physical Jim Crow barriers?" he asked.

Pointing up what this attitude leads to, Dr. Hayakawa said that there were three Negro students in one of his classes who always sat together on one side of the room, in a self-imposed Jim Crow group. It wasn't mandatory, nobody asking or forcing them to do so. And, he said, their writings reflected their thinking. Their essays were all about Negro heroes.

"Are Negroes seriously interested in music," Dr. Hayakawa asked, "or do they go to concerts only when Marion Anderson is singing? Are they interested in sociology or only in the sociology of the Negro? Why, I know a Chinese professor who is an expert on the sociology of the Chinatowns of America — and that's all he ever talks about. Check our universities and you'll find that dissertations by Negro students are nearly always about Negro art, Negro music, Negro culture, Negro economics, Negro housing.

"To learn how to act naturally, to forget about being Negro, the Negro must develop a deeper compassion about something else. As an intellectual exercise he ought to study the problems of some other minority group. For instance, he might study the history of the Irish under the oppression of the English." In this way, Dr. Hayakawa said, Negroes will realize that there is no Negro problem, or for that matter, no Japanese problem, but only one human problem.

Porters Make More Than Teachers

Directing his remarks to Negro students, the speaker said that they should "gamble, take a long chance, and train themselves for jobs that Negroes have never held before." He accused some older Negroes of advising younger people not to train for specialized jobs because they tell them that they'll just end up as Pullman porters. "Well, if a Negro student decides not to become an electrical engineer because he's afraid he can't get a job at it and will end up a Pullman porter, most likely, through self-fulfilling prophecy, he **will become** a Pullman porter. But he needn't come crying to me about it, because Pullman porters make more money than English teachers."

Dr. Hayakawa concluded by saying that integration will not realize itself all at once, but only in a day-to-day working at it. "Let's fight no battles of yesterday," he said. "Forget the past, and don't become concerned with trivia. We must fulfill the prophecy of Democracy, which teaches equal rights."

Oxnam Praised On Civil Rights

Bishop G. Bromley Oxnam of the Methodist Church yesterday was commended "for his courageous stand on civil liberties" in a report submitted to the 167th annual Philadelphia Methodist Conference, in the Arch St. Methodist Church.

The report was submitted by the Rev. H. A. McKain, chairman of the Conference Board of World Peace and Social and Economic Relations. Mr. McKain is pastor of the Church of the Advocate, Wayne ave. and Queen lane.

'NOTHING TO HIDE'

Referring to recent threats to investigate the clergy, the report stated, "The church has nothing to hide. The discipline of the clergy is the responsibility of the churches themselves."

In commending Bishop Oxnam the report quoted an article in the Washington Post of April 5 which called the file on the bishop in the House Un-American Activities Committee "a compilation of groundless gossip about a distinguished minister of the Gospel."

On the subject of human rights, the report said: "In our efforts to protect ourselves from enemies from without who desire to change or destroy our institutions and government, we have been losing our freedom from within.

INTIMIDATION CHARGED

"This threat to our liberaties has taken several forms, such as guilt by association, loyalty oaths, representing gossip as fact, censorship and 'book burnings,' and attempts at silencing liberals through intimidation."

The report also supported President Eisenhower in his stand on world peace "and his hopeful attitude toward Russia," recommended "to our youth the many opportunities for Christian service in Government service," urged continuance of the church's support to the United Nations, and recommended "an intensified program of cultivation of foreign students within our conference area."

ASSAIL LEGAL RACING

Any attempt at legalizing racing and gambling by action of the State Legislature was opposed unconditionally by the report.

Fair employment practice legislation, child care and adoption legislation was supported "wholeheartedly" by the report which also stated, "we continue to oppose universal military training."

"We urge our churches to organize legislative study groups and our members to write to their lawmakers their reactions on pending legislation," the report declared.

Driscoll Gets Report On U. S. Civil Rights

TRENTON, N. J. — Gov. Alfred E. Driscoll Monday received a copy of a 151-page report, "Civil Rights in the United States, 1952, a Balance Sheet of Group Relations." It was presented by representatives of the New Jersey region of the American Jewish Congress and of the Newark branch of the NAACP.

The flyleaf was inscribed to the forthright program to eliminate the vestiges of discrimination and prejudice in the State of New Jersey and for championing the 'Freeman Civil Rights law.'"

10 1953

Calls South's Racial Strides 'Conspicuous'

By M. L. ST. JOHN

Adlai Stevenson, readying a nationally significant speech to the Georgia Legislature at noon today, predicted Democratic Party harmony on civil rights, he said. This unity will sweep the Republican administration from power.

His views of North-South peace within the Democratic Party were shared by Georgia Democratic Chairman James S. Peters, who yesterday said Stevenson will be America's next president.

Stevenson and Peters joined in forecasting a return of the Solid South to the party ranks, which several Dixie states left in 1952 to vote Republican.

Noting the sunny weather, Stevenson told the crowd he wished he had brought his golf clubs, then quipped, "We Democrats can break 90, only 108 is the figure we are interested in—out in '52, back in '56."

CONGRESS IN 1954

Answering reporters' questions at a jam-packed press conference at the Henry Grady Hotel, Stevenson predicted the Democrats will win control of Congress in 1954 and will win the presidency in 1956. The 1952 candidate said he didn't know whether he would seek the nomination again — and would not tell if he did know.

On civil rights, which has dipped the party in recent years, Stevenson said the problem has not always been presented in its proper perspective.

Stevenson said that, compared with the past, "the South has made more conspicious progress than the North in race relationships. Both the Northern and Southern Democrats are concerned with the same thing. The fundamentals of civil rights are important."

INDIAN CRITICISM

A Negro reporter asked Stevenson if segregation in this country wasn't giving strength to Communistic criticisms in the East. Stevenson replied that it is poor grace for the people of India to criticize the United States when India's caste system is the worst segregation system in the world. The loyalty of the American Negro to his nation is the finest argument this country has against Communism, Stevenson asserted.

Chairman Peters commented that Stevenson is a great liberal Democrat who "apparently understands the Southern problems."

Parrying loaded questions from the press, Stevenson sought to pour oil on troubled Democratic whelming vote for you . . .?" began another reporter.

"Was due to the discretion, intelligence and courtesy of the people of Georgia!" Stevenson finished smoothly.

From the hood of Gov. Talmadge's car to which he scrambled in front of the Henry Grady Hotel, the defeated presidential nominee of 1952 made his most promising remarks. He said the weather was so pretty he wished he had brought his golf clubs and then added disarmingly:

"Don't construe that as an announcement that I plan to run in 1956."

The crowd, conscious of the fact that President Eisenhower tomorrow would come to his favorite golfing retreat at Augusta, roared its appreciation.

The 53-year-old former governor of Illinois arrived at the airport at 12:35 p.m. while the Sylvan High School band played "Are You From Dixie," its drum majorettes kicked and pranced and several hundred enthusiastic Georgians lined the observation platform and crowded out on the ramp to meet him. He waved his brown hat (not a homburg) cordially, viewed the majorettes appreciatively and said, "I believe the peaches are always blooming in Georgia!"

Gov. Talmadge led the official welcoming committee and with Mayor Hartsfield and Senators Russell and George drove Stevenson back to Atlanta, the first car in a 20-car procession of state officials, members of the Georgia Legislature and party leaders.

He lunched briefly on sandwiches in his suite while Gov. Talmadge and Mayor Hartsfield conferred with him about plans for his sightseeing tour today. ("What time do you get up in the morning?" asked the governor. "What time do you want me to get up?" countered Stevenson. They settled on 7:30 a.m. and farm ham, grits and waters, both nationally and locally.

He talked with former acting Gov. M. E. Thompson and Gov. Herman Talmadge, adversaries on the state scene, at his luncheon at the hotel. During the afternoon he spent half an hour in conference with former Gov. Ellis Arnall, who campaigned for him last year. Then he spent the night at the Governor's Mansion. Arnall and Talmadge are political opposites.

Stevenson turned thumbs down on pictures at the Executive Mansion last night. When a Constitution photographer asked him about taking pictures with the Talmadges at the Mansion, Stevenson replied, "No, son, I think not tonight." The reason, he said, was that he was too tired.

One newsman tried to lure Stevenson into a Georgia factional dispute. Noting that the former Illinois governor is here to express his appreciation to Georgians for giving him the largest majority he received in any state last year, the reporter asked:

"Do you appreciate the reluctant votes as much as the enthusiastic votes?"

Stevenson paraphrased Shakespeare: "The quality of my appreciation is not strained."

A group of Middle Georgians sent Stevenson a letter endorsing him for president in 1956, saying they had been for him when some of the present Stevenson boosters were reluctant.

The titular head of the Democratic Party made a thrust at the Republican administration on the subversives issue.

He said he thinks a more sober approach can be made to the problem of espionage in federal service. However, he noted that while President Eisenhower said this would not be a campaign issue in 1954 the national chairman of the Republican Party said it would be the main issue. That is another example of confusion within the Republican Party, Stevenson commented.

He promised to discuss espionage in government and touch on the Harry Dexter White "spy" case in his speech today.

Staff Photo—Frank Tuggle

WELCOME TO ADLAI FROM YOUNG ADMIRER
Joyce Gorman, 3, and Her Mother, Mrs. Robert Gorman

YOUNG DEMOCRATS BACK CIVIL RIGHTS

Endorse New and Fair Deals and Elect Liberal Head—Assail G. O. P. on Truman

By SETH S. KING
Special to THE NEW YORK TIMES.

ST. PAUL, Minn., Nov. 14—Delegations representing the liberal wing of the Young Democrats won two victories here today.

They elected their candidate as national president and beat back a move to delete civil rights clauses from the organization's statement of policy.

As the final action of their national convention here, the representatives of thirty-two state Young Democratic Clubs selected Neal Smith, a Des Moines, Iowa, attorney, as their national president.

The contest for this office, the item of greatest interest during the three-day meeting, was waged between a bloc of Southern and Midwestern states and another faction of Eastern and Western and Missouri River Basin States.

The Southern-Midwestern coalition had supported the candidacy of Robert Lucas of Gary, Ind. They had waged their campaign on the ground that Mr. Lucas was more conservative than Mr. Smith and would serve as a better rallying point for all factions of the party.

Mr. Smith received the decisive votes of the Pennsylvania, New Jersey, California and Michigan delegations, as well as the smaller New York group. Mr. Lucas drew his strength from the Illinois and from Illinois, Indiana and Ohio.

Civil Rights Are Debated

The item of greatest contention was the policy resolutions saying the organization's New Deal and Fair Deal policies of past Democratic administrations, and that it endorsed the civil rights plank of the 1952 Democratic convention.

"Civil rights is a question that is synonymous with Federal interference and infringement of states' rights as far as we are concerned," he declared. "Civil rights means one thing in the South and something else in the North and East. We are in favor of civil rights, but we insist that they be interpreted on a state level."

Judge from Alabama, led the fight against adoption of these resolutions. He pleaded with the convention delegates to delete a matter which he said was inflammatory in his section of the nation.

South Votes Opposition

The vote against the civil rights plank was almost entirely confined to Southern states with the exception of Ohio and part of the Wisconsin delegation.

Although the Young Democrats organization is officially known as a party "service group" and not a policy-making body, the victory of the Smith forces was regarded as an indication that the strongest supporters of Adlai E. Stevenson, unsuccessful candidate for President, had retained their strength in the organization.

Mr. Smith, a 33-year-old war veteran, succeeds Richard J. Nelson, of Chicago, a former member of Mr. Stevenson's staff when the latter was Governor of Illinois. Mr. Smith will serve a two-year term, as the organization meets biannually.

Earlier in the day the convention adopted a resolution accusing Attorney General Herbert Brownell Jr. of utilizing public office to obtain political advantage.

The delegates joined in charging that the Republican party was attempting to cover up its "own serious deficiencies in government" by accusing former President Truman of promoting a Government official after the Federal Bureau of Investigation had said he was suspected of being a Communist spy.

Reckless Action Is Charged

"We are seriously concerned at the reckless abandonment of responsibility by the Republican Attorney General and other Republican holders of high office who are utilizing their public positions to make grave charges in an effort to obtain sensational headlines and selfish political advantage," the resolution declared.

"We shame the Republican party for these activities," the resolution continued. "Further, we are convinced that the vicious philosophy of the Communists cannot be overcome by attacking the patriotism of the Democratic party leaders and that the only ones to benefit by a policy of character assassination and other perversions of the American system of justice and fair play are the enemies of America."

The resolution followed an attack on Mr. Brownell made last night by Stephen A. Mitchell, Democratic National Chairman.

Mr. Mitchell asserted that the late Harry Dexter White, former Assistant Secretary of the Treasury, had been assigned to a different position and kept under careful surveillance by the F. B. I. after Mr. Truman had received reports that Mr. White was suspected of being a member of a Soviet espionage ring.

Mr. Mitchell then accused Mr. Brownell of timing his charges against Mr. Truman so as to obscure the publicity from Republican setbacks in Congressional races in Wisconsin and New Jersey.

In a speech before today's session, Representative John A. Blatnik, Democrat of Minneosta, said a recent trip through Europe had convinced him that economic recovery there had reached the stage where further aid was unnecessary.

Following the resolutions session the convention heard a panel of former Ambassadors discuss foreign problems. The group included Averell Harriman, former Ambassador to the Soviet Union and former Mutual Security Administrator; Angier Biddle Duke, former Ambassador to El Salvador, and Mrs. Eugenie Anderson, former Ambassador to Denmark.

Policemen Charged in Rights Case

SAVANNAH, Nov. 25 —Leslie Gordon Mitcham, Ludowici policeman, has made bond following his arrest yesterday on charges in a federal grand jury indictment that he violated the civil rights of three prisoners he apprehended, federal officers said here today.

A three-count indictment returned by the grand jury of the current term of U.S. District Court here accused the policeman. Three men, one in each count, alleged the police officer assaulted and beat them after arresting them. Mitcham was alleged to have used a blackjack.

The trio were named as James B. Yeargan of Jesup, James Dallas Nolan of Winter Garden, Fla., and Samuel Jenkins, also of Florida.

The officer was said to have arrested the three at different times. He was accused of denying the prisoners their rights as guaranteed by the 14th amendment of the U.S. Constitution.

Mitcham posted $5,000 bond after his arrest by the deputies of the U.S. Marshal Joseph H. Young.

Southern Governors Warn on Civil Rights

By Don Irwin

HOT SPRINGS, Va., Nov. 1.—Southern Governors, gathering here for a conference that starts tomorrow, were nearly unanimous in warning today that the Eisenhower administration will risk loss of Southern support if Republicans press in Congress for civil rights legislation.

As the vanguard of the thirteen Governors expected for the three-day conference moved into this mountain resort, the state executives appeared to be divided on the question of whether, and how much, President Eisenhower's popularity has waned in the South in the year since he was elected.

The Governors appeared to be generally concerned about the downward trend of farm prices and divided on how to deal with the question of racial segregation in public schools if the Supreme Court voids the present system of "separate but equal" facilities for Negroes.

Warnings

The Southern warning on civil rights came from sources as disparate as Gov. Theodore R. McKeldin of Maryland, the only Republican at the conference, and Gov. Herman Talmadge of Georgia, who has made white supremacy a fundamental of his regime.

In essence, the warning was that the Republicans will endanger the coalition between members of their party and Southern Democrats which dominated the first session of the Eighty-third Congress if they deviate from their position in last year's campaign that civil rights is primarily a state issue. Some Republicans, along with Northern Democrats, are known to feel that legislation on the issue should be pressed.

Asked if he thought such a movement would lose the Administration some of the Southern backing that has helped enactment of its legislative program, Gov. McKeldin replied succinctly: "I surely do."

He urged that the South be allowed to "work out our own salvation in our own states."

One Governor declined to go along on the civil rights question. Gov. Robert F. Kennon, of Louisiana, a strong supporter of Gen. Eisenhower in last year's election, said he was convinced the South would not take a "dog-in-the manger, tit-for-tat attitude" on the question.

Gov. Kennon and Gov. McKeldin were emphatic in supporting the proposition that there is no sign that the President's personal popularity has slipped in their states. But Gov. McKeldin, whose state went for the President last November, differed from Gov. Kennon and the majority of the Southern Governors in predicting "excellent chances" for a genuine two-party system in the South.

Generally, the Governors said they were convinced the President would not run as well in their states now as he did a year ago, when he carried Texas, Florida, Tennessee and Virginia and came close to victory in South Carolina and Louisiana.

The common denominator for this attitude was the decline in farm prices, with state conditions providing contributory reasons. Gov. Talmadge said that, while the President is still "on trial," there is a widespread feeling he has "moved too slow" on farm prices. This attitude was seconded by Govs. William C. Marland of West Virginia, J. Johnson Murray of Oklahoma and William B. Umstead of North Carolina.

T. V. A. Problem

Gov. Frank G. Clement of Tennessee, at thirty-three the youngest Governor in the Union, rated the question of continued public ownership of the Tennessee Valley Authority even ahead of farm problems as a possible factor against the Administration.

Asserting that the President carried Tennessee last year because it was assumed he would support T. V. A. in its present form, Gov. Clement condemned as "pre-judgment" a statement indorsing its sale to private utilities made recently by Clarence Manion, head of a Presidential commission studying state-Federal relationships. Gov. Clement said he hoped "Republican and Democratic politicians" wouldn't "sabotage' 'the President.

The test of the Governors' reactions to the Administration's farm program will come tomorrow night, when Secretary of Agriculture Ezra Taft Benson will address the formal dinner that will be chief social event of the conference.

Another hot issue that may break loose at the conference is the question of what steps the Southern states will take to deal with school segregation if the Supreme Court voids the present dual system.

Americans Must Guard Rights--Ike

WASHINGTON — (INS) — President Eisenhower declared Monday, that basic civil rights including "The right to meet your accuser face to face" must be retained if Americans are to continue to be proud of their citizenship.

The chief executive spoke at a dinner commemorating the 40th anniversary of the Anti-Defamation League of B'nai B'rith, where he received the league's 1953 Democratic Legacy award.

In the address following receipt of the award, Eisenhower said:

"If we are going to continue to be proud that we are Americans there must be no weakening of the code by which we have lived:

"By the right to meet your accuser face to face, if you have one; by your right to go to the church, or the synagogue, or even the mosque, of your own choosing; by your right to speak your mind and be protected in it."

The award, a silver medallion, was presented to the president by Henry Edward Schultz, New York, chairman of the league. Schultz told the president that the organization honored him for his victory against Nazi tyranny and his vigorous campaign to eliminate race segregation in the armed services and in the Nations capital.

Artists appearing include Thelma Ritter, Helen Hayes, Lucille Ball, Desi Arnez, Ethel Merman, Jane Froman, Eddie Fisher, William Frowley, Vivian Vance and William Warfield. Jackie Robinson spoke briefly about the progress made against discrimination in the baseball sandlots.

Sen. Hubert Humphrey (Dem. Minn.) assailed the administration Sunday for its failure to advance civil rights legislation.

Speaking during a panel which was part of the ADL celebration, Sen. Humphrey also indicated his willingness to compromise with Southern leaders in working out what he called a "politically realistic FEP Bill."

10 1953

A. C. L. U. Report

Civil Liberties Peril Seen From Without and Within

By Margaret Parton

American civil liberties are threatened today from the outside by the Soviet Union and from the inside by "reactive excesses" of a kind generally called McCarthyism, the American Civil Liberties Union said yesterday in a special report.

The 160-page pamphlet, published on the eve of the 162d anniversary of the final adoption of the Bill of Rights, is a report on the victories and defeats suffered by civil rights in America during the thirty months from Jan. 1, 1951 to June 30, 1953.

The A. C. L. U., founded in 1920 and numbering on its board many prominent clergymen, professors and lawyers, is dedicated to preserving the civil liberties of all Americans except those who, like Communists or Fascists, do not believe in civil rights.

No Cause to Despair

"There is no justification for despair," Patrick M. Malin, executive director, says in a foreward, but the picture as it emerges from the pamphlet is one of increasing encroachments on traditional American rights.

"Freedom of inquiry and communication," Mr. Malin says, "is in grave danger. This is not a matter of the lunatic fringe being unable to hire a hall or mount a soapbox on the street corner. This is the far more serious matter of official preconsorship or pressure-group boycott of mass media—newspapers and magazines and books, motion pictures and the theater, radio and television—often motivated by noble, but no less dangerous, anxiety over moral and religious values in an era of special strain and disruption.

"It is the intolerance of dissent, and the fear to express dissent, which represent the worst damage done by the Congressional investigations and what is generally called "McCarthyism." Congress has the right and duty to investigate illegal acts (whether committed by teachers or preachers, editors or lawyers, bankers or farmers); . . . it has the right and duty to probe for information pertinent to possible legislation within its constitutional powers.

"But legislation which would curb speech or association . . . is not within those constitutional powers; nor is legislation which would destroy or reduce the constitutional safeguards of due process, or equal protection of the laws. It is unconstitutional, as well as extremely unwise in a free society, for legislators to cause such effects even by investigation."

Watchdog of Civil Liberties

The American Civil Liberties Union has won for itself an acknowledged role as watchdog of the citizen's liberties. How broad is the field in which action and vigilance is required is indicated by the organization's report, just issued, covering the period between January, 1951, and June, 1953. In the area of mass communications, where controversial books and moving pictures have been under attack; in the area of discrimination, where steady progress has not eliminated injustices; in the area of Congressional investigations, where the rights of individuals have too often been unnecessarily curbed—in these and numerous other areas the American Civil Liberties Union carries on its surveillance and takes its stand.

The audit of civil liberties included in the 156-page report is not, on the whole, encouraging. There has certainly been an increase over the past three years in the pressures toward conformity; there has been a growing tendency to disregard individual rights in the concern for national safety. The American Civil Liberties Union shows itself fully aware of the fact that the great threat to all freedom comes from the outside, from the aggressive Russian dictatorship. But in its view this does not necessitate surrender of dear-bought rights. "The overwhelming majority of Americans," says Mr. Patrick Murphy Malin in his introduction to the report, "have all their lives been both free men and patriots, without making a noise about it."

To remain free men while upholding the safety and security of the nation is not an impossible ideal. It is sanely furthered by such an audit as the American Civil Liberties Union has just published.